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Supreme Court of the United States

OCTOBER TERM, 1963

No. 201

WILLIS SHAW FROZEN EXPRESS, INC.,
APPELLANT,

vs.

UNITED STATES, ET AL.

APPEAL FROM THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF ARKANSAS

FILED JUNE 10, 1963

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[fol. 1]

BEFORE THE

INTERSTATE COMMERCE COMMISSION

Form BOR 1 (49 CFR 7.1)

Form approved.
Budget Bureau No. 60-5802.
(Approval expires Feb. 28, 1959.)

PAGE 1

No. MC-.....

APPLICATION FOR MOTOR CARRIER "GRANDFATHER" CERTIFICATE OR PERMIT—December 5, 1958

Under "Grandfather Clause" of Section 7 of the Transportation Act of 1958 which amended Section 203 (b) (6) of the Interstate Commerce Act. (This form is to be used only by common or contract carriers by motor vehicle (or their successors in interest) engaged on May 1, 1958, and continuously since in the interstate or foreign transportation of frozen fruits, frozen berries, frozen vegetables, cocoa beans, coffee beans, tea, bananas, hemp, wool imported from any foreign country, wool tops and noils, or wool waste (carded, spun, woven, or knitted).)

(*Read instructions on page 7 before filling out application*)

BEFORE THE INTERSTATE COMMERCE COMMISSION

I. Application of Willis Shaw Frozen Express, Inc.,
(Name) (Trade name,
a corporation of Arkansas, whose business address is if any.) (State whether an individual, partnership, corporation, fiduciary, or other legal entity. If a partnership, give names of all partners. If a corporation, give State in which incorporated.)
Elm Springs, Arkansas.
(City) (State)

II. Applicant previously was issued motor carrier operating rights by the Interstate Commerce Commission

or applied for such rights under Docket No(s). MC-117119; see also MC-FC 61586.

III. Applicant (or predecessor) on May 1, 1958, was engaged in the transportation of:

Frozen fruits	☒	Bananas	☐
Frozen berries	☒	Hemp	☐
Frozen vegetables	☒	Wool imported from any foreign country	☐
Cocoa beans	☐	Wool tops and noils	☐
Coffee beans	☐	Wool waste (carded, spun, woven, or knitted	☐
Tea	☐		

Frozen poultry, frozen poultry parts, frozen fish, frozen seafoods including fish or seafood pies, meals and dinners.

(*Indicate which commodity or commodities were transported*)

IV. Applicant (or predecessor) on and prior to May 1, 1958, obtained the main volume of its traffic at Ala., Ariz.,
(If a place or places, name them: if a territory, describe it clearly)
Ark., Calif., Colo., Del., Fla., Ga., Idaho, Ill., Ind., Iowa, Kan., Ky., La., Md., Mass., Mich., Minn., Miss., Mo., Neb., N. J., N. Mex., N. Y., Okla., Ore., Ohio, Penn., Tenn., Tex., Utah, Va., Wash., Wisc.

[fol. 2]

Form BOR 1 (49 CFR 7.1)

V. Applicant (or predecessor) on and prior to May 1, 1958, transported such traffic to Ala., Ariz., Ark., Calif.,
(If a place or places, name them: if a territory, describe it clearly)
Colo., Del., Fla., Ga., Idaho, Ill., Ind., Iowa, Kan., Ky., La., Md., Mass., Mich., Minn., Miss., Mo., Neb., N. J., N. Mex., N. Y., Okla., Ore., Ohio, Penn., Tenn., Tex., Utah, Va., Wash., Wisc.

VI. Applicant's (or predecessor's) service on and prior to May 1, 1958, was performed over irregular routes. (State whether regular or irregular routes. If over regular routes, the regular routes should be described on a separate sheet or sheets headed "VI" and attached to this application, together with a highway map on which the regular routes are shown clearly.)

VII. Applicant (or predecessor) undertook to transport the commodities designated in paragraph III for the general public for hire (Yes). If the answer is "No," state for whom applicant (or predecessor) transported the commodities under special contracts or agreements:

Name	*Address (Street and City)*	*Written or Oral*
.....	.....	.....
.....	.....	.....

VIII. If the operations or any part thereof are of a seasonal nature, describe the season or seasons during which they are and have been conducted (See Attachment 1).

IX. Applicant has continued to operate as stated in the foregoing without any change in the type or extent of service and now is so operating (Yes). If the answer is "No," state in detail the character and extent of the change .....

X. If the service was not rendered on, or has been interrupted since May 1, 1958, give the facts and reasons clearly and in detail Not applicable.

XI. Applicant (or predecessor) operated the following number of vehicles on May 1, 1958:

Trucks 4, Tractors 36, Semitrailers 38, Trailers 0.

Total owned by applicant 4 trucks, 26 trailers, 28 semitrailers. Total leased to applicant 10 tractors, 10 semitrailers.

Number of vehicles leased by applicant to others none.

[fol. 3]

Form BOR 1 (49 CFR 7.1)

XII. Applicant operated the following number of vehicles on the date of this application:

Trucks 4 operating; all 4 owned.

Tractors 31 operating; 29 owned; 2 leased.

Semitrailers 33 operating; 31 owned; 2 leased.

Number of vehicles leased by applicant to others none.

XIII. On pages 5 and 6 of this application, applicant has listed a summary of representative shipments of the commodities designated in paragraph III which applicant (or predecessor) transported prior to, on, and since May 1, 1958.

Applicant has shipping documents to prove the fact that applicant (or predecessor) transported the shipments listed as a carrier for hire (Yes). If the answer is "No," give reasons .....

Applicant agrees to retain and permit an investigator for the Interstate Commerce Commission to examine the documents or to produce them at an informal conference or oral hearing if an informal conference or oral hearing is held on this application (Yes). If the answer is "No," give reasons .....

State how the shipments listed on pages 5 and 6 were selected as representative By random selection from files of shipping documents.

XIV. Applicant's claim to "grandfather" rights is based on operations of a predecessor in interest (Yes). If the answer is "Yes," give the name and address of the predecessor in interest, the date the applicant succeeded the predecessor, and the facts relating to applicant's succession in interest Operations were those of a partnership of Willis Shaw and Ellis Bogan, d/b/a Willis Shaw Produce Company, Elm Springs, Arkansas. Operations and authority were transferred to corporation controlled by Willis

Shaw November 24, 1958 pursuant to authority granted by this Commission in MC-FC 61586. Application in that docket recites full circumstances of dissolution of partnership and transfer to corporation.

[fol. 4]

PAGE 4

Form BOR 1 (49 CFR 7.1)

XV. Is applicant, any of applicant's partners, or any of applicant's stockholders directly or indirectly affiliated with, in control of, or under common control with another carrier subject to the Interstate Commerce Act? (No). If the answer is "Yes," give details .....

WHEREFORE, The applicant herein prays that the Interstate Commerce Commission issue to the applicant a certificate of public convenience and necessity as a common carrier ☒ a permit as a contract carrier ☐. (Indicate form of authority sought.) Applicant further prays that if the facts herein contained or developed later show that applicant although applying for a certificate is entitled to a permit or if applying for a permit is entitled to a certificate, this application be considered to be for the appropriate form of authority.

Dated this 5th day of December, 1958.

VERIFICATION

The undersigned files this application as President. He
(Indicate relationship to applicant)
states that, in such capacity, he is qualified and authorized to file and verify such documents; that he has carefully examined all the statements and matters contained in the application; and that all such statements made and matters set forth are true and correct to the best of his knowledge, information, and belief.

s/ Willis D. Shaw
(Signature)

CERTIFICATE OF SERVICE

The undersigned hereby certifies that he has delivered a copy of this application, in person or by mail, to the fol-

lowing District Director of the Commission's Bureau of Motor Carriers for the district in which the applicant has his headquarters:

Name of District Director Bernard H. English.
Address 816 Texas & Pacific Bldg., Fort Worth 2, Texas.

[fol. 5]

PAGE 5

Form BOR 1 (49 CFR 7.1)

The undersigned further certifies that he has delivered a copy of this application, in person or by mail, to each of the following State Boards of each State in or through which the operations described in this application were and are performed:

Name of State Board *Address*

(See Attachment 2)

Dated this 5th day of December, 1958.

s/ Willis D. Shaw
(Signature)

List of representative shipments transported by applicant (or predecessor) before, on, and subsequent to May 1, 1958, upon which applicant relies to support this application. Only shipments transported by applicant as a carrier for hire should be listed. Applicant should not include any shipments transported as an owner-operator for another carrier.

Date of shipment	*Commodity*	*Weight (Pounds)*	*Origin* *	*Destination* †

(See Attachment 3, Parts I, II and III)

* If applicant received shipment from another carrier, insert place at which shipment was received by applicant.

† If applicant turned shipment over to another carrier for movement to destination, insert place at which turned over to other carrier.

[fol. 6]

PAGE 6

Form BOR 1 (49 CFR 7.1)

List of representative shipments transported by applicant (or predecessor) before, on, and subsequent to May 1, 1958, upon which applicant relies to support this application. Only shipments transported by applicant as a carrier for hire should be listed. Applicant should not include any shipments transported as an owner-operator for another carrier.

Date of shipment	*Commodity*	*Weight (Pounds)*	*Origin* **	*Destination* †
.....	.....	.....	.....	.....
.....	.....	.....	.....	.....
.....	.....	.....	.....	.....

* If applicant received shipment from another carrier, insert place at which shipment was received by applicant.

† If applicant turned shipment over to another carrier for movement to destination, insert place at which turned over to other carrier.

(Use additional sheet or sheets as necessary)

[fol. 7]

ATTACHMENT 1

VIII. If the operations or any part thereof are of a seasonal nature, describe the season or seasons during which they are and have been conducted.

Volume fluctuates depending on growing season of various vegetables, fruits and berries, and in various states, as for example strawberries grown in Oklahoma ripen and are shipped in April, May and June, and as a further example cherries grown in Michigan ripen in June and July. Many other examples as to various vegetables, fruits and berries in the various areas could be given.

[fol. 8]

ATTACHMENT 2

A copy of this application has been served, by mail, on each of the following State Boards of each State in or through which the operations described in this application were and are performed:

Name of State Board	*Address*
Alabama Public Service Commission	Montgomery 2, Alabama
Arizona Corporation Commission	Phoenix, Arizona
Arkansas Commerce Commission	Little Rock, Arkansas
California Public Utilities Commission	California State Building Civic Center, San Francisco 2, California
Colorado Public Utilities Commission	State Office Building Denver 2, Colorado
Delaware Public Service Commission	Dover, Delaware
Florida Railroad and Public Utilities Commission	Tallahassee, Florida
Georgia Public Service Commission	Atlanta, Georgia
Idaho Public Utilities Commission	Boise, Idaho
Illinois Commerce Commission	Springfield, Illinois
Indiana Public Service Commission	401 State House Indianapolis 4, Indiana
Iowa State Commerce Commission	State Capitol Des Moines 19, Iowa
Kansas State Corporation Commission	Topeka, Kansas
Kentucky Department of Motor Transportation	Frankfort, Kentucky
Louisiana Public Service Commission	Baton Rouge 4, Louisiana
Maryland Public Service Commission	Munsey Building Baltimore, Maryland

Name of State Board	*Address*
Massachusetts Commissioners of the Department of Public Utilities, Commercial Motor Vehicle Division	100 Nashua Street Boston, Massachusetts
Michigan Public Service Commission	State Office Building Lansing 13, Michigan
[fol. 9] Minnesota Railroad and Warehouse Commission	State Office Building St. Paul 1, Minnesota
Mississippi Public Service Commission	Jackson 44, Mississippi
Missouri Public Service Commission	Public Service Commission Bldg. Jefferson City, Missouri
Montana Board of Railroad Commissioners and Public Service Commission	Helena, Montana
Nebraska State Railway Commission	State Capitol Lincoln 9, Nebraska
Nevada Public Service Commission	Carson City, Nevada
New Jersey Board of Public Utility Commissioners	Trenton 7, New Jersey
New Mexico State Corporation Commission	Santa Fe, New Mexico
New York Public Service Commission	State Office Building Albany 1, New York
North Carolina Utilities Commission	Raleigh, North Carolina
Oklahoma Corporation Commission	Oklahoma City 5, Oklahoma
Oregon Public Utilities Commissioner	Salem, Oregon
Ohio Public Utilities Commission	Columbus 15, Ohio
Pennsylvania Public Utility Commission	Harrisburg, Pa.
South Carolina Public Service Commission	Columbia 1, South Carolina

Name of State Board	*Address*
South Dakota Public Utilities Commission	Pierre, South Dakota
Tennessee Public Service Commission	Nashville 3, Tennessee
Texas Railroad Commission	Austin 11, Texas
Utah Department of Business Regulation—Public Service Commission	Salt Lake City 1, Utah
Virginia State Corporation Commission	Richmond 9, Virginia
Washington Public Service Commission	Olympia, Washington
West Virginia Public Service Commission	Charleston, West Virginia
Wisconsin Public Service Commission	Madison 2, Wisconsin
Wyoming Public Service Commission	Cheyenne, Wyoming

[fol. 10]

ATTACHMENT 3

WILLIS SHAW FROZEN EXPRESS, INC.

ATTACHMENT 3

PART 1

FROZEN FRUITS, FROZEN BERRIES & FROZEN VEGETABLES

FROZEN FRUITS, FROZEN BERRIES, & FROZEN VEGETABLES IN THIS SECTION ARE LISTED IN DATE ORDER ACCORDING TO POINT OF ORIGIN, AND INVOLVES SHIPMENTS MADE PRIOR TO MAY 1, 1958.

[fol. 11]

ATTACHMENT 3
Page 1 of Part 1

DATE	PRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
12-1-56	2254	Frzn Vegetables	33,392	Fayetteville,Ark.	Omaha, Neb.
4-29-57	2912	Frzn Vegetables	33,392	Fayetteville,Ark.	Camden, N. J.
9-20-56	1977	Frzn Vegetables	30,650	Ft. Smith,Ark.	Birmingham,Ala.*
3-7-58	4031	Frzn Vegetables	11,700	Ft. Smith,Ark.	SanFrancisco,Calif.
4-13-57	2735	Frzn Vegetables	28,515	Ft. Smith,Ark.	Jacksonville,Fla.*
7-3-57	3165	Frzn Vegetables	31,590	Ft. Smith,Ark.	Miami, Fla.
9-20-56	1977	Frzn Vegetables	30,650	Ft. Smith,Ark.	Tampa, Fla.*
4-13-57	2735	Frzn Vegetables	28,515	Ft. Smith,Ark.	Atlanta, Ga.*
10-20-56	2057	Frzn Berries		Ft. Smith,Ark.	Chicago, Ill.
1-15-55		Frzn Vegetables	21,000	Ft. Smith,Ark.	Lafayette, Ind.
2-9-55		Frzn Vegetables	20,556	Ft. Smith,Ark.	Lafayette, Ind.
2-10-55		Frzn Vegetables	34,296	Ft. Smith,Ark.	Lafayette, Ind.
4-26-58	4205	Frzn Vegetables	20,175	Ft. Smith,Ark.	Detroit, Mich.
9-6-57	3398	Frzn Berries	28,800	Ft. Smith,Ark.	Amsterdam, N.Y. *
9-6-57	3398	Frzn Berries	28,800	Ft. Smith,Ark.	Buffalo, N.Y. *
6-12-56	1627	Frzn Berries	30,000	Prairie Grove,Ark.	Des Moines, Iowa
6-7-56	1620	Frzn Berries	33,280	Prairie Grove,Ark.	Dallas, Texas
2-16-55	B/L	Frzn Vegetables	10,400	Van Buren,Ark.	Marshall, Mo.
3-15-56	1309	Frzn Vegetables	28,764	Van Buren,Ark.	New York, N.Y.
3-15-56	1309	Frzn Vegetables	30,518	Van Buren,Ark.	New York, N.Y.
5-3-54	B/L	Frzn Berries	28,800	Burbank, Calif.	Kansas City,Kan.
6-17-57	3048	Frzn Berries	4,500	Denair, Calif.	Kansas City,Mo.
9-10-57	3414	Frzn Berries	3,300	Fresno, Calif.	Marionville,Mo.
4-17-58	4160	Frzn Vege&Berr	21,087½*	Fresno, Calif.	Springfield, Mo.*
4-17-58	4160	Frzn Vege&Berr	21,087½*	Fresno, Calif.	Ponca City, Okla.*
10-14-58	4761	Frzn Berries	3,125	Fresno, Calif.	Wichita, Kan.

[fol. 12]

ATTACHMENT 3
Page 2 of Part 1

DATE	PRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
7-12-54	B/L	Frzn Berries	7,650	Gilroy, Calif.	Liberal, Kan.
10-11-56	1991	Frzn Berries	32,992	Los Angeles, Calif.	Ft. Smith, Ark.
5-4-54	B/L	Frzn Berries	2,273	Los Angeles, Calif.	Kansas City, Kan.
8-30-54	B/L	Frzn Fruits	5,100	Los Angeles, Calif.	Kansas City, Kan.
12-21-57	3761	Frzn Fruits	5,625	Los Angeles, Calif.	Kansas City, Kan.
4-15-54	B/L	Frzn Vege&Fru	24,015	Los Angeles, Calif.	St. Louis, Mo.
8-21-54	B/L	Frzn Berries	31,948	Los Angeles, Calif.	Milwaukee, Wisc.
11-18-54	B/L	Frzn Berries	21,765	Los Angeles, Calif.	Milwaukee, Wisc.
1-11-56	1060	Frzn Vegetables	17,173	Modesto, Calif.	Dardanelle, Ark.
6-26-56	1673	Frzn Vegetables	23,613	Modesto, Calif.	Dardanelle, Ark.
7-19-56	1730	Frzn Vegetables	13,770	Modesto, Calif.	Dardanelle, Ark.
1-38-58	3891	Frzn Vegetables	38,760	Modesto, Calif.	Fayetteville, Ark.
9-16-57	3415	Frzn Vegetables	3,550 *	Modesto, Calif.	Ft. Smith, Ark.
7-15-55	475	Frzn Vegetables	35,100	Modesto, Calif.	Springdale, Ark.
8-22-55	579	Frzn Vegetables	21,600	Modesto, Calif.	Springdale, Ark.
9-19-55	669	Frzn Vegetables	6,136	Modesto, Calif.	Springdale, Ark.
9-21-55	677	Frzn Vegetables	15,600	Modesto, Calif.	Springdale, Ark.
10-2-57	3482	Frzn Vege&Fru	11,778	Modesto, Calif.	Dodge City, Kan.
1-21-58	3673	Frzn Vegetables	7,737	Modesto, Calif.	Dodge City, Kan.
4-4-57	2683	Frzn Berries	3,780	Modesto, Calif.	Meade, Kan.
10-2-57	3482	Frzn Vegetables	5,903	Modesto, Calif.	Topeka, Kan.
11-14-57	3644	Frzn Vegetables	4,752	Modesto, Calif.	Topeka, Kan.
11-29-57	3684	Frzn Vegetables	503	Modesto, Calif.	Topeka, Kan.
11-30-57	3713	Frzn Vegetables	3,560	Modesto, Calif.	Topeka, Kan.
12-14-57	3724	Frzn Vege&Fru	11,532 *	Modesto, Calif.	Topeka, Kan.
1-16-58	3838	Frzn Vegetables	10,770 *	Modesto, Calif.	Topeka, Kan.
2-12-58	3942	Frzn Vegetables	8,400 *	Modesto, Calif.	Topeka, Kan.
3-27-58	4084	Frzn Vegetables	1,675	Modesto, Calif.	Topeka, Kan.

ATTACHMENT 3
Page 3 of Part 1

DATE	PRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
3-29-58	4098	Frzn Vegetables	5,325 *	Modesto, Calif.	Topeka, Kan.
4-28-58	4199	Frzn Vegetables	4,358 *	Modesto, Calif.	Topeka, Kan.
10-16-57	3542	Frzn Vegetables	11,850 *	Modesto, Calif.	Wichita, Kan.
12-14-57	3724	Frzn Vegetables	8,850 *	Modesto, Calif.	Wichita, Kan.
1-16-58	3838	Frzn Vegetables	8,400 *	Modesto, Calif.	Wichita, Kan.
2-12-58	3941	Frzn Vegetables	7,064	Modesto, Calif.	Wichita, Kan.
2-12-58	3941	Frzn Vegetables	13,110 *	Modesto, Calif.	Wichita, Kan.
6-6-55		Frzn Vegetables	31,065	Modesto, Calif.	Carthage, Mo.
9-29-56	2000	Frzn Vegetables	5,100	Modesto, Calif.	Carthage, Mo.
11-27-56	2209	Frzn Vegetables	5,100	Modesto, Calif.	Carthage, Mo.
12-28-56	2344	Frzn Vegetables	5,100	Modesto, Calif.	Carthage, Mo.
1-30-57	2441	Frzn Vegetables	7,220	Modesto, Calif.	Carthage, Mo.
11-13-57	3643	Frzn Vegetables	30,000	Modesto, Calif.	Carthage, Mo.
1-28-58	3880	Frzn Vegetables	10,492	Modesto, Calif.	Carthage, Mo.
1-29-58	3882	Frzn VegetAFru	30,808 *	Modesto, Calif.	Carthage, Mo.
8-20-57	3331	Frzn Vegetables	1,818	Modesto, Calif.	Joplin, Mo.
9-3-57	3376	Frzn Vegetables	25,133	Modesto, Calif.	Kansas City, Mo.
9-14-57	3429	Frzn Vegetables	21,750 *	Modesto, Calif.	Kansas City, Mo.
9-14-57	3429	Frzn Fruits	1,600	Modesto, Calif.	Kansas City, Mo.
9-17-57	3435	Frzn Vegetables	32,969 *	Modesto, Calif.	Kansas City, Mo.
9-24-57	3459	Frzn VegetAFru	31,552 *	Modesto, Calif.	Kansas City, Mo.
10-2-57	3482	Frzn Vegetables	8,514	Modesto, Calif.	Kansas City, Mo.
10-2-57	3482	Frzn Vegetables	13,722 *	Modesto, Calif.	Kansas City, Mo.
10-9-57	3501	Frzn VegetAFru	22,958 *	Modesto, Calif.	Kansas City, Mo.
11-19-57	3673	Frzn VegetAFru	34,503 *	Modesto, Calif.	Kansas City, Mo.
11-30-57	3713	Frzn VegetAFru	29,051 *	Modesto, Calif.	Kansas City, Mo.
12-14-57	3724	Frzn Vegetables	4,854 *	Modesto, Calif.	Kansas City, Mo.
12-21-57	3761	Frzn VegetAFru	34,750 *	Modesto, Calif.	Kansas City, Mo.
1-15-58	3823	Frzn VegetAFru	35,800 *	Modesto, Calif.	Kansas City, Mo.

[fol. 14]

ATTACHMENT 3
Page 4 of Part 1

DATE	PRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
1-16-58	3838	Frzn Vegetables	3,180 *	Modesto, Calif.	Kansas City, Mo.
2-1-58	3954	Frzn Veg&Fru	37,056 *	Modesto, Calif.	Kansas City, Mo.
2-12-58	3942	Frzn Veg&Berr	10,668 *	Modesto, Calif.	Kansas City, Mo.
2-24-58	3983	Frzn Veg&Berr	34,125 *	Modesto, Calif.	Kansas City, Mo.
2-26-58	3996	Frzn Veg&Fru	20,304 *	Modesto, Calif.	Kansas City, Mo.
3-13-58	4028	Frzn Vegetables	6,150	Modesto, Calif.	Kansas City, Mo.
3-27-58	4084	Frzn Vegetables	6,264	Modesto, Calif.	Kansas City, Mo.
3-27-58	4084	Frzn Veg&Fru	10,826 *	Modesto, Calif.	Kansas City, Mo.
3-28-58	4097	Frzn Veg&Fru	39,500 *	Modesto, Calif.	Kansas City, Mo.
4-8-58	4138	Frzn Veg&Fru	36,510	Modesto, Calif.	Kansas City, Mo.
4-8-58	4138	Frzn Vegetables	1,116	Modesto, Calif.	Kansas City, Mo.
4-29-58	4199	Frzn Veg&Fru	17,121 *	Modesto, Calif.	Kansas City, Mo.
11-7-56	2137	Frzn Berries	6,476	Modesto, Calif.	St. Joseph, Mo.
2-24-58	3983	Frzn Veg&Berr	34,125 *	Modesto, Calif.	St. Joseph, Mo.
6-1-55	B/L	Frzn Vegetables	36,600	Modesto, Calif.	Marshall, Mo.
8-25-54	B/L	Frzn Berries	9,000	Modesto, Calif.	Omaha, Nebr.
3-20-58	4061	Frzn Veg&Fru	18,800 *	Modesto, Calif.	Albuquerque, N.M.
10-9-57	3517	FrznFru,Berr&Veg	19,720 *	Modesto, Calif.	Oklahoma City,Okla.
10-16-57	3542	Frzn Veg&Berr	18,582 *	Modesto, Calif.	Oklahoma City,Okla.
11-26-57	3684	Frzn Vegetables	1,350	Modesto, Calif.	Oklahoma City,Okla.
1-11-58	3825	Frzn Veg&Fru	28,266 *	Modesto, Calif.	Oklahoma City,Okla.
1-16-58	3838	Frzn Vegetables	8,762 *	Modesto, Calif.	Oklahoma City,Okla.
2-12-58	3941	Frzn Vegetables	9,264 *	Modesto, Calif.	Oklahoma City,Okla.
2-26-58	3996	Frzn Vegetables	12,355 *	Oxnard, Calif.	Smith Center, Kan.
2-28-58	4179	Frzn Vegetables	8,750 *	Oxnard, Calif.	Smith Center, Kan.
4-18-58	4150	Frzn Vegetables	6,300	Oxnard, Calif.	Smith Center, Kan.
6-11-54	B/L	Frzn Fruit	8,000	Paramount, Calif.	Wichita, Kan.

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DATE	PRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
5-6-57	2938	Frzn Berries	18,000	Patterson, Calif.	Kansas City, Kan.
5-24-57	B/L	Frzn Berries	18,000	Patterson, Calif.	Kansas City, Kan.
2-5-58	3912	Frzn Berries	2,700	Patterson, Calif.	Wichita, Kan.
9-10-57	3414	Frzn Vegetables	5,135	Patterson, Calif.	Carthage, Mo.
9-17-57	3435	Frzn Vegetables	5,187	Patterson, Calif.	Carthage, Mo.
10-8-57	3511	Frzn Vegetables	5,187	Patterson, Calif.	Carthage, Mo.
11-4-57	3599	Frzn Vegetables	6,213	Patterson, Calif.	Carthage, Mo.
11-4-57	3599	Frzn Fruit	60	Patterson, Calif.	Kansas City, Mo.
3-28-58	4097	Frzn VegeaFru	39,500 *	Patterson, Calif.	Kansas City, Mo.
8-17-57	3315	Frzn Vegetables	39,700	Salinas, Calif.	Fayetteville, Ark.
8-19-57	3337	Frzn Vegetables	36,400	Salinas, Calif.	Fayetteville, Ark.
3-3-58	4011	Frzn Vegetables	46,800	Salinas, Calif.	Van Buren, Ark.
3-4-58	4014	Frzn Vegetables	14,976	Salinas, Calif.	Van Buren, Ark.
3-10-58	4028	Frzn Vegetables	8,424	Salinas, Calif.	Van Buren, Ark.
2-12-58	3940	Frzn Vegetables	36,331 *	Salinas, Calif.	Kansas City, Mo.
9-10-57	3414	Frzn FruaBerr	9,080 *	Salinas, Calif.	Oklahoma City,Okla.
9-18-57	3433	FrznFru,BerraVeg	4,168 *	Salinas, Calif.	Oklahoma City,Okla.
10-16-57	3542	Frzn VegeaBerr	18,582 *	Salinas, Calif.	Oklahoma City,Okla.
11-12-57	3621	Frzn Berries	6,000	Salinas, Calif.	Oklahoma City,Okla.
3-4-58	4014	Frzn Berries	6,000	Salinas, Calif.	Oklahoma City,Okla.
4-1-58	4109	Frzn FruaBerr	18,745 *	Salinas, Calif.	Oklahoma City,Okla.
4-1-58	4109	Frzn FruaBerr	4,971 *	Salinas, Calif.	Oklahoma City,Okla.
3-4-58	4014	Frzn Berries	1,200	Salinas, Calif.	Tulsa, Okla.
4-1-58	4109	Frzn VegeaBerr	11,695 *	Salinas, Calif.	Tulsa, Okla.
4-28-58	4199	Frzn Vegetables	4,358	San Francisco, Calif.	Topeka, Kan.
8-21-57	3368	Frzn Fruits	7,500	Sanger, Calif.	Ft. Smith, Ark.
8-24-57	3343	Frzn Fruits	48,700	Sanger, Calif.	Kansas City, Kan.

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DATE	PRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
9-3-57	3379	Frzn Fruits	45,350	Sanger, Calif.	Kansas City, Kan.
9-10-57	3401	Frzn Fruits	40,200	Sanger, Calif.	Kansas City, Kan.
9-11-57	3405	Frzn Fruits	47,122	Sanger, Calif.	Kansas City, Kan.
9-4-57	3393	Frzn Fruits	9,418	Sanger, Calif.	Wichita, Kan.
2-26-58	3996	Frzn Vegetables	12,355 *	Sanger, Calif.	Smith Center, Kan.
1-29-58	3882	Frzn Vege&Fru	30,808 *	Sanger, Calif.	Carthage, Mo.
8-31-57	3378	Frzn Fruits	33,300	Sanger, Calif.	Kansas City, Mo.
9-24-57	3459	Frzn Vege&Fru	31,352 *	Sanger, Calif.	Kansas City, Mo.
10-9-57	3501	Frzn Vege&Fru	22,958 *	Sanger, Calif.	Kansas City, Mo.
10-9-57	3501	Frzn Fruits	1,650	Sanger, Calif.	Kansas City, Mo.
10-9-57	3501	Frzn Fruits	13,640	Sanger, Calif.	Kansas City, Mo.
11-19-57	3673	Frzn Vege&Fru	34,503 *	Sanger, Calif.	Kansas City, Mo.
11-19-57	3670	Frzn Fruits	3,100	Sanger, Calif.	Kansas City, Mo.
11-29-57	3684	Frzn Fruits	10,300	Sanger, Calif.	Kansas City, Mo.
11-30-57	3713	Frzn Vege&Fru	29,051 *	Sanger, Calif.	Kansas City, Mo.
12-21-57	3761	Frzn Vege&Fru	34,750 *	Sanger, Calif.	Kansas City, Mo.
1-14-58	3842	Frzn Fruits	1,650	Sanger, Calif.	Kansas City, Mo.
1-14-58	3842	Frzn Vege&Berr	39,468 *	Sanger, Calif.	Kansas City, Mo.
1-15-58	3823	Frzn Vege&Fru	35,800 *	Sanger, Calif.	Kansas City, Mo.
1-11-58	3954	Frzn Vege&Fru	37,056 *	Sanger, Calif.	Kansas City, Mo.
2-12-58	3942	Frzn Fruits	9,860	Sanger, Calif.	Kansas City, Mo.
2-24-58	3983	Frzn Vege&Berr	34,125 *	Sanger, Calif.	Kansas City, Mo.
2-26-58	3996	Frzn Vege&Fru	20,304 *	Sanger, Calif.	Kansas City, Mo.
3-27-58	4084	Frzn Vege&Fru	10,826 *	Sanger, Calif.	Kansas City, Mo.
3-28-58	4097	Frzn Vege&Fru	39,500 *	Sanger, Calif.	Kansas City, Mo.
4-8-58	4138	Frzn Vege&Fru	36,510 *	Sanger, Calif.	Kansas City, Mo.
9-10-57	3414	Frzn Fruits	5,278	Sanger, Calif.	Springfield, Mo.
2-24-58	3983	Frzn Vege&Berr	34,123 *	Sanger, Calif.	St. Joseph, Mo. *
1-11-58	3825	Frzn Vege&Fru	28,266 *	Sanger, Calif.	Oklahoma City, Okla.

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DATE	PRO	COMMODITY	WEIGHT		ORIGIN	DESTINATION
8-29-57	3348	Frzn Fru&Berr	23,731		Sanger, Calif.	Oklahoma City,Okla.*
10-9-57	3517	FrznFru,Berr&Veg	19,720	*	Sanger, Calif.	Oklahoma City,Okla.
11-26-57	3684	Frzn Fruits	1,600		Sanger, Calif.	Tulsa, Okla.
8-29-57	3348	Frzn Fru&Berr	23,731		Sanger, Calif.	Enid, Okla.
3-20-58	4061	Frzn Fru&Vege	18,800	*	Sanger, Calif.	Albuquerque, N.M.
3-20-58	4061	Frzn Fru&Vege	17,069	*	Sanger, Calif.	Amarillo, Texas
2-12-58	3942	Frzn Vegetables	8,400	*	San Jose, Calif.	Topeka, Kansas
9-18-57	3433	FrznFru,Berr&Veg	21,258	*	San Jose, Calif.	Liberal, Kan. *
2-5-58	3912	Frzn Fru&Vege	20,472	*	San Jose, Calif.	Wichita, Kan. *
2-12-58	3941	Frzn Vegetables	7,064		San Jose, Calif.	Wichita, Kan.
8-1-55	B/L	Frzn Berries	30,770		San Jose, Calif.	Pittsburg, Kan. *
2-12-58	3941	Frzn Vegetables	13,110	*	San Jose, Calif.	Wichita, Kan.
11-20-56	2176	Frzn Berries	11,000		San Jose, Calif.	Smith Center, Kan.
4-18-58	4150	Frzn Vegetables	6,300	*	San Jose, Calif.	Smith Center, Kan.
8-6-54	B/L	Frzn Berries	4,500		San Jose, Calif.	Carthage, Mo.
4-12-58	3942	Frzn Vege&Berr	10,668	*	San Jose, Calif.	Kansas City, Mo.
2-24-58	3983	Frzn Vege&Berr	34,125	*	San Jose, Calif.	Kansas City, Mo.
4-29-58	4199	Frzn Vege&Fru	17,121	*	San Jose, Calif.	Kansas City, Mo.
3-11-58	4028	Frzn Berries	6,400		San Jose, Calif.	Springfield, Mo.
4-17-58	4160	Frzn Vege&Berr	21,087½	*	San Jose, Calif.	Springfield, Mo. *
2-24-58	3983	Frzn Vege&Berr	34,125	*	San Jose, Calif.	St. Joseph, Mo. *
8-1-55	B/L	Frzn Berries	30,770		San Jose, Calif.	Oklahoma City,Okla.*
9-18-57	3433	FrznFru,Berr&Veg	21,258	*	San Jose, Calif.	Oklahoma City,Okla.*
8-21-57	3332	Frzn Berries	8,000		San Jose, Calif.	Tulsa, Okla.
2-5-58	3912	Frzn Fru&Vege	20,472	*	San Jose, Calif.	Tulsa, Okla.
8-1-55	B/L	Frzn Berries	30,770		San Jose, Calif.	Enid, Okla. *
10-9-57	3517	Frzn Berries	8,289		San Jose, Calif.	Lawton, Okla.
4-17-58	4160	Frzn Vege&Berr	21,087½		San Jose, Calif.	Ponca City, Okla. *
9-17-57	3415	Frzn Vegetables	16,782	*	San Jose, Calif.	Memphis, Tenn.

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DATE	PRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
7-12-54	B/L	Frzn Berries	23,850	San Martin, Calif.	Liberal, Kan. *
6-29-54	B/L	Frzn Fruits	13,500	San Martin, Calif.	Kansas City, Kan.*
7-14-55	B/L	Frzn Fruits	6,300	San Martin, Calif.	Pittsburg, Kan. *
7-19-55	B/L	Frzn Berries	15,887	San Martin, Calif.	Pittsburg, Kan.
6-2-54	B/L	Frzn Berries	19,020	San Martin, Calif.	Smith Center, Kan.*
7-14-55	B/L	Frzn Fruits	6,300	San Martin, Calif.	Springfield, Mo.*
8-23-54	B/L	Frzn Berries	8,100	San Martin, Calif.	St. Joseph, Mo. *
6-2-54	B/L	Frzn Berries	19,020	San Martin, Calif.	Fairbury, Nebr. *
6-2-54	B/L	Frzn Berries	19,020	San Martin, Calif.	Lincoln, Nebr. *
6-6-55	B/L	Frzn Berries	32,875	San Martin, Calif.	Lincoln, Nebr. *
8-23-54	B/L	Frzn Berries	8,100	San Martin, Calif.	Omaha, Nebr. *
6-29-54	B/L	Frzn Berries	13,500	San Martin, Calif.	Cedar Rapids,Iowa*
6-29-54	B/L	Frzn Berries	13,500	San Martin, Calif.	Des Moines, Iowa *
6-6-55	B/L	Frzn Berries	32,875	San Martin, Calif.	Des Moines, Iowa *
6-2-54	B/L	Frzn Berries	19,020	San Martin, Calif.	Sioux City, Iowa *
6-29-54	B/L	Frzn Berries	13,500	San Martin, Calif.	Waterloo, Iowa *
9-10-57	3414	Frzn Vegetables	6,350 *	Santa Barbara, Calif.	Ft. Smith, Ark.
12-2-57	3684	Frzn Vegetables	4,800	Santa Barbara, Calif.	Little Rock, Ark.
12-14-57	3724	Frzn Fru&Vege	11,532 *	Santa Barbara, Calif.	Topeka, Kan.
12-14-57	3724	Frzn Vegetables	8,850 *	Santa Barbara, Calif.	Wichita, Kan.
11-29-57	3684	Frzn Vegetables	2,400	Santa Barbara, Calif.	Carthage, Mo.
12-14-57	3724	Frzn Vegetables	4,854 *	Santa Barbara, Calif.	Kansas City, Mo.
12-13-57	3724	Frzn Vegetables	4,800	Santa Barbara, Calif.	Oklahoma City,Okla.
9-18-57	3433	Frzn Vegetables	1,575	Santa Clara, Calif.	Meade, Kan.
9-18-57	3433	FrznFru,Berr&Veg	21,258 *	Santa Clara, Calif.	Liberal, Kan. *
5-24-57	B/L	Frzn Berries	47,750	Santa Clara, Calif.	Wichita, Kan.
2-26-58	3996	Frzn Vegetables	12,335 *	Santa Clara, Calif.	Smith Center, Kan.
2-28-58	4179	Frzn Vegetables	8,750 *	Santa Clara, Calif.	Smith Center, Kan.

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DATE	PRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
9-30-57	3477	Frzn Vegetables	31,020 *	Santa Clara, Calif.	Kansas City, Mo.
10-8-57	3511	Frzn Vegetables	33,301 *	Santa Clara, Calif.	Kansas City, Mo.
11-14-57	3644	Frzn Vegetables	6,225	Santa Clara, Calif.	Kansas City, Mo.
11-29-57	3702	Frzn Vegetables	37,000 *	Santa Clara, Calif.	Kansas City, Mo.
12-21-57	3761	Frzn Fru&Vege	34,750 *	Santa Clara, Calif.	Kansas City, Mo.
1-15-58	3823	Frzn Fru&Vege	35,800 *	Santa Clara, Calif.	Kansas City, Mo.
1-28-58	3880	Frzn Vegetables	3,100	Santa Clara, Calif.	Kansas City, Mo.
2-12-58	3942	Frzn Vegetables	9,266	Santa Clara, Calif.	Kansas City, Mo.
3-11-58	4031	Frzn Vegetables	40,686 *	Santa Clara, Calif.	Kansas City, Mo.
4-8-58	4138	Frzn Fru&Vege	36,310 *	Santa Clara, Calif.	Kansas City, Mo.
4-29-58	4199	Frzn Fru&Vege	17,121 *	Santa Clara, Calif.	Kansas City, Mo.
9-3-57	3376	Frzn Berries	7,950	Santa Clara, Calif.	St. Joseph, Mo.
1-28-58	3880	Frzn Berries	7,350	Santa Clara, Calif.	St. Joseph, Mo.
3-27-58	4084	Frzn Berries	7,200	Santa Clara, Calif.	St. Joseph, Mo.
3-27-58	4084	Frzn Vegetables	1,139	Santa Clara, Calif.	St. Joseph, Mo.
9-18-56	B/L	Frzn Berries	12,878	Santa Clara, Calif.	Oklahoma City,Okla.
9-18-57	3433	FrznFru,Berr&Veg	21,258 *	Santa Clara, Calif.	Oklahoma City,Okla.
10-9-57	3517	FrznFru,Berr&Veg	19,720 *	Santa Clara, Calif.	Oklahoma City,Okla.
1-16-58	3838	Frzn Vegetables	8,762 *	Santa Clara, Calif.	Oklahoma City,Okla.
9-4-57	3393	FrznFru&Berries	4,125	Santa Clara, Calif.	Tulsa, Okla.
1-11-58	3825	Frzn Berries	9,000	Santa Clara, Calif.	Tulsa, Okla.
5-17-57	B/L	Frzn Berries	14,026	Santa Clara, Calif.	Fairbury, Nebr.
5-17-57	B/L	Frzn Berries	31,680	Santa Clara, Calif.	Lincoln, Nebr.
5-24-57	B/L	Frzn Berries	17,600	Santa Clara, Calif.	Des Moines, Iowa
9-17-57	3415	Frzn Vegetables	16,782 *	Santa Clara, Calif.	Memphis, Tenn.
3-20-58	4061	Frzn Fru&Vege	18,800 *	Santa Clara, Calif.	Albuquerque, N.M.
3-20-58	4061	Frzn Fru&Vege	17,069 *	Santa Clara, Calif.	Amarillo, Texas

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DATE	PRO	COMMODITY	WEIGHT		ORIGIN	DESTINATION
12-14-57	3724	Frzn Fru&Vege	11,532	*	Santa Cruz, Calif.	Topeka, Kan.
1-16-58	3838	Frzn Vegetables	10,770	*	Santa Cruz, Calif.	Topeka, Kan.
2-12-58	3941	Frzn Vegetables	9,540	*	Santa Cruz, Calif.	Topeka, Kan.
10-16-57	3542	Frzn Vegetables	11,850	*	Santa Cruz, Calif.	Wichita, Kan.
12-14-57	3724	Frzn Vegetables	8,850	*	Santa Cruz, Calif.	Wichita, Kan.
1-16-58	3838	Frzn Vegetables	8,400	*	Santa Cruz, Calif.	Wichita, Kan.
12-14-57	3724	Frzn Vegetables	4,854	*	Santa Cruz, Calif.	Kansas City, Kan.*
1-16-58	3838	Frzn Vegetables	3,180	*	Santa Cruz, Calif.	Kansas City, Mo.
2-24-58	3983	Frzn VegetBerr	34,125	*	Santa Cruz, Calif.	Kansas City, Mo.
2-24-58	3983	Frzn VegetBerr	34,125	*	Santa Cruz, Calif.	St. Joseph, Mo. *
10-16-57	3542	Frzn VegetBerr	18,582	*	Santa Cruz, Calif.	Oklahoma City,Okla.
2-12-58	3941	Frzn Vegetables	9,264	*	Santa Cruz, Calif.	Oklahoma City,Okla.
9-17-57	3415	Frzn Vegetables	16,782	*	Santa Cruz, Calif.	Memphis, Tenn.
4-14-58	4130	Frzn Vegetables	3,750		Santa Cruz, Calif.	Macomb, Ill. *
4-14-58	4130	Frzn Vegetables	3,750		Santa Cruz, Calif.	W. Burlington,Iowa
10-16-57	3542	Frzn Fru&Vege	8,100	*	Santa Maria, Calif.	Topeka, Kan.
12-14-57	3724	Frzn Fru&Vege	11,532	*	Santa Maria, Calif.	Topeka, Kan.
1-16-58	3838	Frzn Vegetables	10,770	*	Santa Maria, Calif.	Topeka, Kan.
2-12-58	3941	Frzn Vegetables	9,540	*	Santa Maria, Calif.	Topeka, Kan.
10-16-57	3542	Frzn Vegetables	11,850	*	Santa Maria, Calif.	Wichita, Kan.
12-14-57	3724	Frzn Vegetables	8,850	*	Santa Maria, Calif.	Wichita, Kan.
1-16-58	3838	Frzn Vegetables	8,400	*	Santa Maria, Calif.	Wichita, Kan.
2-5-58	3912	Frzn Fru&Vege	20,472	*	Santa Maria, Calif.	Wichita, Kan.
2-12-58	3941	Frzn Vegetables	7,064	*	Santa Maria, Calif.	Wichita, Kan.
2-12-58	3941	Frzn Vegetables	13,110	*	Santa Maria, Calif.	Wichita, Kan.
10-2-57	3482	Frzn Vegetables	13,722	*	Santa Maria, Calif.	Kansas City, Mo.
1-16-58	3838	Frzn Vegetables	8,762	*	Santa Maria, Calif.	Oklahoma City,Okla.
2-12-58	3941	Frzn Vegetables	9,264	*	Santa Maria, Calif.	Oklahoma City,Okla.
2-5-58	3912	Frzn Fru&Vege	20,472	*	Santa Maria, Calif.	Tulsa, Okla.

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DATE	PRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
9-6-55	B/L	Frzn Berries	14,100	Santa Rosa, Calif.	Meade, Kan. *
9-6-55	B/L	Frzn Berries	14,100	Santa Rosa, Calif.	Kansas City, Kan.*
9-6-55	B/L	Frzn Berries	14,100	Santa Rosa, Calif.	Oklahoma City,Okla.*
8-1-55	B/L	Frzn Berries	2,750	Santa Rosa, Calif.	Oklahoma City,Okla.*
4-17-58	4160	Frzn Vegetables	12,150	Sunnyvale, Calif.	Van Buren, Ark.
7-31-57	3261	Frzn Berries	30,000	Watsonville, Calif.	Ft. Smith, Ark.
9-16-57	3415	Frzn Vegetables	3,550 *	Watsonville, Calif.	Ft. Smith, Ark.
9-10-57	3414	Frzn Vegetables	6,550 *	Watsonville, Calif.	Ft. Smith, Ark.
9-4-57	3393	Frzn Vegetables	1,750	Watsonville, Calif.	Hutchinson, Kan.
2-6-58	3912	Frzn Berries	1,800	Watsonville, Calif.	Hutchinson, Kan.
3-26-58	4084	Frzn Berries	3,150	Watsonville, Calif.	Hutchinson, Kan.
5-9-57		Frzn Berries	16,000	Watsonville, Calif.	Kansas City, Kan.
1-16-58		Frzn Vegetables	7,532 *	Watsonville, Calif.	Kansas City, Kan.
8-21-57	3332	Frzn Berries	9,000	Watsonville, Calif.	Liberal, Kan.
9-4-57	3393	Frzn Berries	7,000	Watsonville, Calif.	Liberal, Kan.
4-21-58	4150	Frzn Berries	9,000	Watsonville, Calif.	Liberal, Kan.
9-4-57	3393	Frzn FruitVege	3,913	Watsonville, Calif.	Meade, Kan.
10-16-57	3542	Frzn FruitVege	8,100 *	Watsonville, Calif.	Topeka, Kan.
11-8-57	3632	Frzn Vegetables	3,935	Watsonville, Calif.	Topeka, Kan.
11-4-57	3599	Frzn Vegetables	2,980	Watsonville, Calif.	Topeka, Kan.
2-11-58	3953	Frzn Vegetables	3,801	Watsonville, Calif.	Topeka, Kan.
3-29-58	4098	Frzn Vegetables	5,325 *	Watsonville, Calif.	Topeka, Kan.
9-4-57	3393	Frzn Vegetables	8,750	Watsonville, Calif.	Wichita, Kan.
9-4-57	3393	Frzn Berries	3,600	Watsonville, Calif.	Wichita, Kan.
12-14-57	3724	Frzn Vegetables	2,208	Watsonville, Calif.	Wichita, Kan.
1-16-58	3838	Frzn Fruits	2,700	Watsonville, Calif.	Wichita, Kan.
2-24-58	3983	Frzn Berries	9,000	Watsonville, Calif.	Wichita, Kan.
3-27-58	4084	Frzn Berries	3,600	Watsonville, Calif.	Wichita, Kan.

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DATE	PRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
4-15-58	4150	Frzn Fru&Vege	9,732	Watsonville, Calif.	Wichita, Kan.
9-18-57	3433	Frzn Vegetables	2,625	Watsonville, Calif.	Joplin, Mo.
8-21-57	3332	Frzn Fru&Vege	14,310	Watsonville, Calif.	Carthage, Mo.
9-14-57	3429	Frzn Vegetables	21,750 *	Watsonville, Calif.	Kansas City, Mo
9-17-57	3435	Frzn Vegetables	32,969 *	Watsonville, Calif.	Kansas City, Mo.
10-28-57	3560	Frzn Fru&Vege	36,648	Watsonville, Calif.	Kansas City, Mo.
9-30-57	3477	Frzn Vegetables	31,020 *	Watsonville, Calif.	Kansas City, Mo.
10-8-57	3511	Frzn Vegetables	33,301 *	Watsonville, Calif.	Kansas City, Mo.
11-14-57	3644	Frzn Fruit	30,340	Watsonville, Calif.	Kansas City, Mo.
11-19-57	3670	Frzn Fru&Vege	36,422	Watsonville, Calif.	Kansas City, Mo.
11-29-57	3702	Frzn Vegetables	37,000 *	Watsonville, Calif.	Kansas City, Mo.
12-4-57	3715	Frzn Vegetables	12,739	Watsonville, Calif.	Kansas City, Mo.
12-20-57	3773	Frzn Fru&Vege	38,635	Watsonville, Calif.	Kansas City, Mo.
12-1-57	3715	Frzn Fru&Vege	28,145	Watsonville, Calif.	Kansas City, Mo.
1-14-58	3842	Frzn Vege&Berr	39,468 *	Watsonville, Calif.	Kansas City, Mo.
1-16-58	3838	Frzn Vegetables	3,180 *	Watsonville, Calif.	Kansas City, Mo.
2-3-58	3901	Frzn Vegetables	40,680 *	Watsonville, Calif.	Kansas City, Mo.
2-11-58	3933	Frzn Fruits	30,000	Watsonville, Calif.	Kansas City, Mo.
2-12-58	3942	Frzn Vege&Berr	10,668 *	Watsonville, Calif.	Kansas City, Mo.
2-12-58	3940	Frzn Vegetables	36,331 *	Watsonville, Calif.	Kansas City, Mo.
3-11-58	4031	Frzn Vegetables	40,686 *	Watsonville, Calif.	Kansas City, Mo.
3-29-58	4078	Frzn Vegetables	32,988	Watsonville, Calif.	Kansas City, Mo.
4-3-58	4110	Frzn Vegetables	32,760	Watsonville, Calif.	Kansas City, Mo.
4-8-58	4138	Frzn Fru&Vege	36,510 *	Watsonville, Calif.	Kansas City, Mo.
4-22-58	4184	Frzn Fru&Vege	35,993	Watsonville, Calif.	Kansas City, Mo.
4-14-58	4130	Frzn Vegetables	13,680	Watsonville, Calif.	St. Louis, Mo. *
4-21-58	4130	Frzn Berries	2,000	Watsonville, Calif.	St. Louis, Mo.
4-14-58	4130	Frzn Vegetables	13,680	Watsonville, Calif.	Galesburg, Ill. *
11-27-56	2173	Frzn Fru&Vege	6,611	Watsonville, Calif.	Oklahoma City, Okla.

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DATE	PRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
1-11-58	3825	Frzn Fru&Vege	28,266 *	Watsonville, Calif.	Oklahoma City,Okla.
8-21-57	3332	Frzn Vegetables	3,520	Watsonville, Calif.	Oklahoma City,Okla.
9-10-57	3414	Frzn Berries	4,320	Watsonville, Calif.	Oklahoma City,Okla.
9-10-57	3414	Frzn Berries	9,930	Watsonville, Calif.	Oklahoma City,Okla.
9-10-57	3414	Frzn Fru&Berr	9,080 *	Watsonville, Calif.	Oklahoma City,Okla.
9-18-57	3433	FrznFru,Berr&Veg	4,168 *	Watsonville, Calif.	Oklahoma City,Okla.
10-7-57	3517	FrznFru,Berr&Veg	7,050	Watsonville, Calif.	Oklahoma City,Okla.
10-9-57	3517	FrznFru,Berr&Veg	19,720 *	Watsonville, Calif.	Oklahoma City,Okla.
11-12-57	3621	FrznFru,Berr&Veg	11,565	Watsonville, Calif.	Oklahoma City,Okla.
11-26-57	3684	FrznFru&Vege	4,725	Watsonville, Calif.	Oklahoma City,Okla.
12-16-57	3724	Frzn Vege&Berr	2,416	Watsonville, Calif.	Oklahoma City,Okla.
1-16-58	3838	Frzn Fru&Berries	4,175	Watsonville, Calif.	Oklahoma City,Okla.
1-29-58	3882	Frzn Berries	960	Watsonville, Calif.	Oklahoma City,Okla.
1-29-58	3882	Frzn Fru&Vege	5,341	Watsonville, Calif.	Oklahoma City,Okla.
3-10-58	4028	Frzn Berries	4,200	Watsonville, Calif.	Oklahoma City,Okla.
4-1-58	4109	Frzn Fruits	4,050	Watsonville, Calif.	Oklahoma City,Okla.
4-1-58	4109	Frzn Fru&Berr	18,745 *	Watsonville, Calif.	Oklahoma City,Okla.
4-1-58	4109	Frzn Fru&Berr	4,971 *	Watsonville, Calif.	Oklahoma City,Okla.
4-1-58	4109	FrznFru,Berr&Veg	8,421	Watsonville, Calif.	Oklahoma City,Okla.
4-17-58	4160	Frzn Fru&Berr	4,200	Watsonville, Calif.	Oklahoma City,Okla.
4-24-58	4150	Frzn Fru&Berr	5,222	Watsonville, Calif.	Oklahoma City,Okla.
9-18-57	3433	Frzn Berries	2,200	Watsonville, Calif.	Tulsa, Okla.
12-16-57	3724	Frzn Vege&Berr	8,788	Watsonville, Calif.	Tulsa, Okla.
3-10-58	4028	Frzn Berries	4,183	Watsonville, Calif.	Tulsa, Okla.
4-1-58	4109	Frzn Vege&Berr	11,695 *	Watsonville, Calif.	Tulsa, Okla.
2-29-56	1242	Frzn Vegetables	31,190	Watsonville, Calif.	Fairmont, Minn.
11-9-55	834	Frzn Vegetables	28,075	Watsonville, Calif.	Fairmont, Minn.
7-7-56	1662	Frzn Berries	36,000	Watsonville, Calif.	Green Bay, Wisc.
9-10-57	2933	Frzn Vegetables	30,861	Watsonville, Calif.	Omaha, Nebr.*

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DATE	PRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
5-10-57	2933	Frzn Vegetables	30,861	Watsonville, Calif.	Davenport, Iowa,*
5-14-57	2933	Frzn Berries	2,700	Watsonville, Calif.	Davenport, Iowa
5-14-57	2933	Frzn Berries	3,600	Watsonville, Calif.	Galesburg, Ill.
9-16-57	3415	Frzn Vegetables	7,951 *	Watsonville, Calif.	Amarillo, Texas
3-20-58	4061	Frzn Fru&Vege	17,069 *	Watsonville, Calif.	Amarillo, Texas
9-17-57	3415	Frzn Vegetables	16,782 *	Watsonville, Calif.	Memphis, Tenn.
3-20-58	4061	Frzn Fru&Vege	18,800 *	Watsonville, Calif.	Albuquerque, N.M.
2-3-58	3901	Frzn Vegetables	40,680 *	Yuba City, Calif.	Kansas City, Mo.
4-28-58	4199	Frzn Vegetables	4,655	Yuba City, Calif.	Kansas City, Mo.
5-16-57	2984	Frzn Vegetables	30,928	Clayton, Del.	Fayetteville, Ark.
5-17-57	2983	Frzn Vegetables	39,928	Clayton, Del.	Fayetteville, Ark.
5-17-57	2795	Frzn Vegetables	30,928	Clayton, Del.	Fayetteville, Ark.
8-29-57	3373	Frzn Vegetables	30,928	Clayton, Del.	Fayetteville, Ark.
5-31-57	3038	Frzn Vegetables	30,928	Clayton, Del.	Springdale, Ark.
4-24-58	4201	Frzn Vegetables	30,928	Clayton, Del.	Springdale, Ark.
3-31-58	4094	Frzn Vegetables	7,875	Burley, Idaho	Wichita, Kan.
4-17-58	4165	Frzn Vegetables	10,900 *	Caldwell, Idaho	Kansas City, Mo.
5-27-57	3013	Frzn Vegetables	7,450	Caldwell, Idaho	Oklahoma City,Okla.
9-16-57	3423	Frzn Vegetables	4,800	Caldwell, Idaho	Oklahoma City,Okla.
11-15-57	3664	Frzn Vegetables	3,200	Caldwell, Idaho	Oklahoma City,Okla.
11-15-57	3664	Frzn Vegetables	4,800	Caldwell, Idaho	Oklahoma City,Okla.
9-14-57	3423	Frzn Vegetables	8,000	Caldwell, Idaho	Tulsa, Okla.
11-15-57	3664	Frzn Vegetables	8,000	Caldwell, Idaho	Tulsa, Okla.
11-15-57	3664	Frzn Vegetables	6,400	Caldwell, Idaho	Tulsa, Okla.
2-4-58	3906	Frzn Vegetables	20,702 *	Nampa, Idaho	Wichita, Kan.
3-15-58	4037	Frzn Vegetables	10,300	Nampa, Idaho	Kansas City, Kan.

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DATE	PRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
3-13-58	4037	Frzn Vegetables	11,550	Nampa, Idaho	Kansas City, Kan.
3-12-58	4035	Frzn Vegetables	8,855	Nampa, Idaho	Kansas City, Mo.
3-13-58	4037	Frzn Vegetables	11,550	Nampa, Idaho	Kansas City, Mo.
3-13-58	4030	Frzn Vegetables	5,610	Nampa, Idaho	Oklahoma City, Okla.
10-24-57	3392	Frzn Vegetables	9,820 *	Nampa, Idaho	Tulsa, Okla.
10-15-57	3336	Frzn Fruits	3,200	Chicago, Ill.	Kansas City, Mo.
10-15-57	3336	Frzn Fruits	3,480	Chicago, Ill.	Kansas City, Mo.
10-26-57	3377	Frzn Fruits	6,000	Chicago, Ill.	Kansas City, Mo.
4-28-58	4212	Frzn Berries	14,921	Chicago, Ill.	Kansas City, Mo.
1-4-58	3815	Frzn Berries	2,400	Chicago, Ill.	Oklahoma City, Okla.
7-23-54	B/L	Frzn Fruits	17,600	Kansas City, Kan.	Wichita, Kan. *
4-7-55	B/L	Frzn Berries	15,300	Kansas City, Kan.	Wichita, Kan.
7-23-54	B/L	Frzn Fruits	17,600	Kansas City, Kan.	Hutchinson, Kan. *
3-2-55	B/L	Frzn Berries	1,770	Kansas City, Kan.	Hutchinson, Kan.
1-14-57	B/L	Frzn Vegetables	3,956	Kansas City, Kan.	Meade, Kan.
1-30-57	B/L	Frzn FruitVege	1,382	Kansas City, Kan.	Meade, Kan.
1-14-57	B/L	Frzn FruitVege	11,632	Kansas City, Kan.	Manhattan, Kan.
1-14-57	B/L	Frzn Vegetables	15,662	Kansas City, Kan.	Liberal, Kan.
1-30-57	B/L	Frzn FruitVege	21,172	Kansas City, Kan.	Liberal, Kan.
9-3-57	3364	Frzn Vegetables	13,750	Kansas City, Kan.	Carthage, Mo.
8-24-54	B/L	Frzn Vegetables	20,000	Kansas City, Kan.	Macon, Mo.
8-24-54	B/L	Frzn Vegetables	20,000	Kansas City, Kan.	Marshall, Mo.
5-25-55	B/L	Frzn Vegetables	5,000	Kansas City, Kan.	Marshall, Mo.
9-6-55	B/L	Frzn Vegetables	10,000	Kansas City, Kan.	Marshall, Mo.
7-25-57	3255	Frzn Vegetables	40,000	Wichita, Kan.	Burbank, Calif.
7-26-57	3262	Frzn Vegetables	36,800	Wichita, Kan.	Burbank, Calif.
7-27-57	3261	Frzn Vegetables	40,000	Wichita, Kan.	Burbank, Calif.
7-31-57	3254	Frzn Vegetables	35,200	Wichita, Kan.	Burbank, Calif.
9-16-56	1959	Frzn Vegetables	4,080	Wichita, Kan.	Kansas City, Mo.

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DATE	PRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
7-24-54	B/L	Fran Berries	18,000	Wichita, Kan.	Oklahoma City,Okla.
7-12-57	3805	Fran Berries	1,500	Wichita, Kan.	Oklahoma City,Okla.
8-10-54	B/L	Fran Berries	24,750	Benton Harbor, Mich.	Hutchinson, Kan. *
8-10-54	B/L	Fran Berries	24,750	Benton Harbor, Mich.	Kansas City, Kan. *
7-19-57	3230	Fran Fruits		Benton Harbor, Mich.	Smith Center, Kan.
7-5-55	B/L	Fran Fruits	32,000	Benton Harbor, Mich.	Enid, Okla. *
7-5-55	B/L	Fran Fruits	32,000	Benton Harbor, Mich.	Oklahoma City,Okla.*
3-21-58	4085	Fran Fruits	32,000	Detroit, Mich.	Kansas City, Mo. *
3-12-55		Fran Fruit	30,000	Detroit, Mich.	St. Joseph, Mo.
3-21-58	4085	Fran Fruits	32,000	Detroit, Mich.	Omaha, Nebr. *
4-7-58	4128	Fran Fruits	24,000	Frankfort, Mich.	Hutchinson, Kan.
9-19-57	3430	Fran FruitVege	7,628	Frankfort, Mich.	Kansas City, Mo.
3-2[illegible]-58	4065	Fran Fruits	3,200	Frankfort, Mich.	Wichita, Kan.
3-5-58	4008	Fran Fruits	32,400	Hart, Mich.	Oklahoma City,Okla.
9-10-57	3418	Fran Fruits	15,000	Lawrence, Mich.	Dodge City, Kan.
7-17-57	B/L	Fran Fruits	29,500	Lawrence, Mich.	Topeka, Kan. *
7-24-57	B/L	Fran Fruits	8,100	Lawrence, Mich.	Topeka, Kan.
9-16-57	3430	Fran Fruits	5,860	Lawrence, Mich.	Topeka, Kan.
7-17-57	B/L	Fran Fruits	29,500	Lawrence, Mich.	Kansas City, Mo. *
8-28-57	3360	Fran FruitVege	22,670 *	Lawrence, Mich.	Kansas City, Mo.
9-19-57	3430	Fran FruitVege	7,628 *	Lawrence, Mich.	Kansas City, Mo.
12-9-57	3743	Fran FruitVege	24,014 *	Lawrence, Mich.	Kansas City, Mo.
7-30-57	3256	Fran Fruits	3,200	Lawrence, Mich.	Maryville, Mo.
12-9-57	3743	Fran FruitVege	24,014 *	Lawrence, Mich.	Maryville, Mo.
8-7-54	B/L	Fran Fruits	30,400	Ludington, Mich.	Kansas City, Kan. *
8-7-54	B/L	Fran Fruits	30,400	Ludington, Mich.	Pittsburg, Kan. *
8-7-54	B/L	Fran Fruits	30,400	Ludington, Mich.	Topeka, Kan. *

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DATE	FRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
3-19-58	4026	Frzn Fruits	12,750	Ludington, Mich.	Wichita, Kan.
8-7-54	B/L	Frzn Fruits	30,400	Ludington, Mich.	Joplin, Mo. *
3-11-58	4039	Frzn Fruits	32,000	Ludington, Mich.	Oklahoma City,Okla.
6-28-55	B/L	Frzn Fruits	32,000	Muskegon, Mich.	Lawrence, Kan. *
6-28-55	B/L	Frzn Fruits	32,000	Muskegon, Mich.	Topeka, Kan. *
6-28-55	B/L	Frzn Fruits	32,000	Muskegon, Mich.	Macon, Mo. *
6-3-55	B/L	Frzn Fruits	19,000	Muskegon Heights,Mich.	Hutchinson, Kan.*
6-3-55	B/L	Frzn Fruits	19,000	Muskegon Heights,Mich.	Kansas City, Kan.*
6-3-55	B/L	Frzn Fruits	19,000	Muskegon Heights,Mich.	Wichita, Kan. *
6-3-55	B/L	Frzn Fruits	19,000	Muskegon Heights,Mich.	Springfield, Mo.*
7-23-57	3235	Frzn Fruits	16,000	Paw Paw, Mich.	Emporia, Kan.
3-15-58	4058	Frzn Fruit	31,936	Paw Paw, Mich.	Kansas City, Mo.
3-17-58	4026	Frzn Fruit	17,408	Paw Paw, Mich.	Kansas City, Mo.
10-26-57	3598A	Frzn Fruit	32,000	Northport, Mich.	Oklahoma City,Okla.
7-12-54	B/L	Frzn Fruits	28,760	Sodus, Mich.	Kansas City, Kan.
8-8-56	1812	Frzn Fruits	29,925	Traverse City, Mich.	Hutchinson, Kan.
10-26-57	3577	Frzn Fruits	25,687	Traverse City, Mich.	Hutchinson, Kan.
1-4-58	3815	Frzn Fruits	27,750	Traverse City, Mich.	Hutchinson, Kan. *
1-27-58	3893	Frzn Fruits	26,150	Traverse City, Mich.	Hutchinson, Kan.*
2-10-58	3953	Frzn Fruits	28,238	Traverse City, Mich.	Hutchinson, Kan.*
3-7-58	4034	Frzn Fruits	15,250	Traverse City, Mich.	Hutchinson, Kan.
4-7-58	4128	Frzn Fruits	8,825	Traverse City, Mich.	Hutchinson, Kan.
8-28-57	3360	Frzn Fruits	4,500	Traverse City, Mich.	Topeka, Kan.
9-16-57	3430	Frzn Fruits	20,500	Traverse City, Mich.	Topeka, Kan. *
3-20-58	4065	Frzn Fruits	16,000	Traverse City, Mich.	Topeka, Kan.

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DATE	PRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
9-10-57	3416	Frzn Fruits	11,250	Traverse City, Mich.	Wichita, Kan.
1-4-58	3815	Frzn Fruits	27,750	Traverse City, Mich.	Wichita, Kan. *
1-27-58	3893	Frzn Fruits	26,150	Traverse City, Mich.	Wichita, Kan. *
2-10-58	3933	Frzn Fruits	28,238	Traverse City, Mich.	Wichita, Kan. *
3-20-58	4065	Frzn Fruits	11,700	Traverse City, Mich.	Wichita, Kan.
3-28-57	4106	Frzn Fruits	32,000	Traverse City, Mich.	Kansas City, Mo.
5-15-57	2968	Frzn Fruits	20,500	Traverse City, Mich.	Kansas City, Mo.
8-28-57	3360	Frzn Fru&Vege	22,870	Traverse City, Mich.	Kansas City, Mo.
9-16-57	3430	Frzn Fruits	20,500	Traverse City, Mich.	Kansas City, Mo. *
11-12-57	3646	Frzn Fruits	4,500	Traverse City, Mich.	Kansas City, Mo.
11-29-57	3703	Frzn Fruits	6,795	Traverse City, Mich.	Kansas City, Mo.
11-29-57	3703	Frzn Fruits	3,200	Traverse City, Mich.	Kansas City, Mo.
11-29-57	3703	Frzn Fruits	19,648	Traverse City, Mich.	Kansas City, Mo.
12-9-57	3743	Frzn Fruits	6,400	Traverse City, Mich.	Kansas City, Mo.
12-9-57	3743	Frzn Fru&Vege	24,014 *	Traverse City, Mich.	Kansas City, Mo.
3-7-58	4034	Frzn Fruits	19,200	Traverse City, Mich.	Kansas City, Mo.
8-28-57	3355	Frzn Vegetables	35,030	Fairmont, Minn.	Fayetteville, Ark.
8-28-57	3384	Frzn Vegetables	35,030	Fairmont, Minn.	Fayetteville, Ark.
8-28-57	3385	Frzn Vegetables	35,030	Fairmont, Minn.	Fayetteville, Ark.
8-28-57	3360	Frzn Vegetables	35,030	Fairmont, Minn.	Fayetteville, Ark.
8-31-57	3394	Frzn Vegetables	35,030	Fairmont, Minn.	Fayetteville, Ark.
9-2-57	3395	Frzn Vegetables	35,030	Fairmont, Minn.	Fayetteville, Ark.
9-3-57	3388	Frzn Vegetables	35,030	Fairmont, Minn.	Fayetteville, Ark.
9-25-57	3475	Frzn Vegetables	33,448	Fairmont, Minn.	Fayetteville, Ark.
10-7-57	3497	Frzn Vegetables	31,200	Fairmont, Minn.	Fayetteville, Ark.
11-2-57	3609	Frzn Vegetables	35,568	Fairmont, Minn.	Ft. Smith, Ark.
11-6-57	3610	Frzn Vegetables	35,568	Fairmont, Minn.	Ft. Smith, Ark.
3-12-55		Frzn Vegetables		Fairmont, Minn.	Little Rock, Ark.
5-14-55		Frzn Vegetables		Fairmont, Minn.	Little Rock, Ark.

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DATE	PRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
11-23-55	919	Frzn Vegetables	8,935	Fairmont, Minn.	Little Rock, Ark.
12-12-55	945	Frzn Vegetables	8,749	Fairmont, Minn.	Little Rock, Ark.
1-31-56	1160	Frzn Vegetables	17,287	Fairmont, Minn.	Little Rock, Ark.
2-21-57	2539	Frzn Vegetables	29,841	Fairmont, Minn.	Little Rock, Ark.
9-25-57	3473	Frzn Vegetables	33,448	Fairmont, Minn.	Rogers, Ark.
10-18-57	3563	Frzn Vegetables	33,278	Fairmont, Minn.	Rogers, Ark.
10-23-57	3553	Frzn Vegetables	34,528	Fairmont, Minn.	Rogers, Ark.
10-26-57	3586	Frzn Vegetables	33,280	Fairmont, Minn.	Rogers, Ark.
10-28-57	3595	Frzn Vegetables	28,496	Fairmont, Minn.	Rogers, Ark.
3-26-57	2664	Frzn Vegetables	29,841	Fairmont, Minn.	Springdale, Ark.
4-1-57	2701	Frzn Vegetables	29,692	Fairmont, Minn.	Springdale, Ark.
9-2-57	3397	Frzn Vegetables	34,691	Fairmont, Minn.	Springdale, Ark.
10-21-57	3569	Frzn Vegetables	33,280	Fairmont, Minn.	Springdale, Ark.
10-23-57	3578	Frzn Vegetables	32,032	Fairmont, Minn.	Springdale, Ark.
10-28-57	3560	Frzn Vegetables	28,912	Fairmont, Minn.	Springdale, Ark.
11-2-57	3609	Frzn Vegetables	35,568	Fairmont, Minn.	Springdale, Ark.
11-6-57	3618	Frzn Vegetables	35,568	Fairmont, Minn.	Springdale, Ark.
11-6-57	3619	Frzn Vegetables	35,568	Fairmont, Minn.	Springdale, Ark.
3-30-57	2692	Frzn Vegetables	7,785	Fairmont, Minn.	Hutchinson, Kan.
10-28-55	815	Frzn Vegetables	4,496	Fairmont, Minn.	Meade, Kan.
1-30-57	2450	Frzn Vegetables	32,000	Fairmont, Minn.	Meade, Kan.
2-18-55		Frzn Vegetables		Fairmont, Minn.	Smith Center, Kan.
10-1-55	709	Frzn Vegetables	14,107	Fairmont, Minn.	Smith Center, Kan.
10-28-55	815	Frzn Vegetables	10,177	Fairmont, Minn.	Smith Center, Kan.
3-30-57	2693	Frzn Vegetables	12,668	Fairmont, Minn.	Smith Center, Kan.
7-13-55	470	Frzn Vegetables	21,240	Fairmont, Minn.	Topeka, Kan.
10-1-55	709	Frzn Vegetables	5,090	Fairmont, Minn.	Topeka, Kan.
10-28-55	815	Frzn Vegetables	3,455	Fairmont, Minn.	Topeka, Kan.
11-25-55	922	Frzn Vegetables	9,981	Fairmont, Minn.	Topeka, Kan.

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DATE	FRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
9-7-56	1851	Frzn Vegetables	14,160	Fairmont, Minn.	Topeka, Kan.
3-30-57	2692	Frzn Vegetables	7,785	Fairmont, Minn.	Topeka, Kan.
9-20-57	3455	Frzn Vegetables	4,375	Fairmont, Minn.	Topeka, Kan.
9-20-57	3455	Frzn Vegetables	7,000	Fairmont, Minn.	Topeka, Kan.
11-25-55	922	Frzn Vegetables	9,981	Fairmont, Minn.	Wichita, Kan.
10-28-55	815	Frzn Vegetables	3,540	Fairmont, Minn.	Wichita, Kan.
2-13-56	1198	Frzn Vegetables	13,483	Fairmont, Minn.	Wichita, Kan.
8-25-56	1873	Frzn Vegetables	30,908	Fairmont, Minn.	Wichita, Kan.
1-30-57	2450	Frzn Vegetables	32,000	Fairmont, Minn.	Wichita, Kan.
2-6-57	1157	Frzn Vegetables	20,617	Fairmont, Minn.	Wichita, Kan.
3-30-57	2692	Frzn Vegetables	13,840	Fairmont, Minn.	Wichita, Kan.
9-20-57	3455	Frzn Vegetables	1,750	Fairmont, Minn.	Wichita, Kan.
9-20-57	3455	Frzn Vegetables	10,500	Fairmont, Minn.	Wichita, Kan.
7-13-55	470	Frzn Vegetables	10,620	Fairmont, Minn.	Carthage, Mo.
10-8-55	755	Frzn Vegetables	16,372	Fairmont, Minn.	Carthage, Mo.
7-2-56	1705	Frzn Vegetables	29,781	Fairmont, Minn.	Carthage, Mo.
2-18-55		Frzn Vegetables		Fairmont, Minn.	Kansas City, Mo.
5-14-55		Frzn Vegetables		Fairmont, Minn.	Kansas City, Mo.
10-1-55	709	Frzn Vegetables	1,770	Fairmont, Minn.	Kansas City, Mo.
10-6-55	715	Frzn Vegetables	31,982	Fairmont, Minn.	Kansas City, Mo.
11-8-55	841	Frzn Vegetables	11,965	Fairmont, Minn.	Kansas City, Mo.
3-30-57	2693	Frzn Vegetables	14,989	Fairmont, Minn.	Kansas City, Mo.
4-27-57	2912A	Frzn Vegetables	7,352	Fairmont, Minn.	Kansas City, Mo.
6-10-57	3086	Frzn Vegetables	3,892	Fairmont, Minn.	Kansas City, Mo.
9-20-57	3455	Frzn Vegetables	5,442	Fairmont, Minn.	Kansas City, Mo.
9-21-57	3461	Frzn Vegetables	15,645	Fairmont, Minn.	Kansas City, Mo.
9-27-57	3492	Frzn Vegetables	23,200	Fairmont, Minn.	Kansas City, Mo.
11-18-57	3675	Frzn Vegetables	29,994	Fairmont, Minn.	Kansas City, Mo.

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DATE	PRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
12-17-57	3749A	Fran Vegetables	9,992	Fairmont, Minn.	Kansas City, Mo.
1-11-58	3847	Fran Vegetables	30,015	Fairmont, Minn.	Kansas City, Mo.
1-18-58	3873	Fran Vegetables	33,755	Fairmont, Minn.	Kansas City, Mo.
2-3-58	3918	Fran Vegetables	20,750	Fairmont, Minn.	Kansas City, Mo.
3-28-58	4113	Fran Vegetables	21,610	Fairmont, Minn.	Kansas City, Mo.
3-28-58	4113	Fran Vegetables	5,100	Fairmont, Minn.	Kansas City, Mo.
4-18-58	4165	Fran Vegetables	35,625	Fairmont, Minn.	Kansas City, Mo.
4-24-58	4192	Fran Vegetables	5,990	Fairmont, Minn.	Kansas City, Mo.
4-24-58	4192	Fran Vegetables	5,100	Fairmont, Minn.	Kansas City, Mo.
10-1-55	709	Fran Vegetables	13,806	Fairmont, Minn.	St. Joseph, Mo.
10-28-55	815	Fran Vegetables	8,351	Fairmont, Minn.	St. Joseph, Mo.
7-2-56	1705	Fran Vegetables	29,781	Fairmont, Minn.	St. Joseph, Mo.
3-14-57	2628	Fran Vegetables	12,365	Fairmont, Minn.	St. Joseph, Mo.
3-30-57	2693	Fran Vegetables	3,546	Fairmont, Minn.	St. Joseph, Mo.
4-24-57	2787	Fran Vegetables	9,309	Fairmont, Minn.	St. Joseph, Mo.
9-27-57	3492	Fran Vegetables	7,822	Fairmont, Minn.	St. Joseph, Mo.
11-12-57	3656	Fran Vegetables	5,337	Fairmont, Minn.	St. Joseph, Mo.
3-28-58	4113	Fran Vegetables	7,215	Fairmont, Minn.	St. Joseph, Mo.
4-24-58	4192	Fran Vegetables	8,680	Fairmont, Minn.	St. Joseph, Mo.
1-16-56	1070	Fran Vegetables	7,626	Fairmont, Minn.	Grand Island, Nebr.
10-22-55	798A	Fran Vegetables	27,511	Fairmont, Minn.	Lincoln, Nebr.
1-16-56	1070	Fran Vegetables	16,231	Fairmont, Minn.	Lincoln, Nebr.
2-6-56	1157	Fran Vegetables	7,406	Fairmont, Minn.	Lincoln, Nebr.
2-13-56	1198	Fran Vegetables	8,419	Fairmont, Minn.	Lincoln, Nebr.
2-26-57	2547	Fran Vegetables	30,325	Fairmont, Minn.	Lincoln, Nebr.
1-16-56	1070	Fran Vegetables	10,266	Fairmont, Minn.	Omaha, Nebr.
2-6-56	1157	Fran Vegetables	6,591	Fairmont, Minn.	Omaha, Nebr.
2-13-56	1198	Fran Vegetables	12,063	Fairmont, Minn.	Omaha, Nebr.

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DATE	PRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
2-26-57	2547	Frzn Vegetables	30,525	Fairmont, Minn.	Omaha, Nebr.
7-2-56	1705	Frzn Vegetables	29,781	Fairmont, Minn.	Omaha, Nebr. *
12-17-57	3749A	Frzn Vegetables	7,825	Fairmont, Minn.	Albuquerque, N.M.
1-9-56	1073	Frzn Vegetables	11,213	Fairmont, Minn.	Oklahoma City,Okla.
1-30-56	1147	Frzn Vegetables	4,903	Fairmont, Minn.	Oklahoma City,Okla.
11-16-56	2171	Frzn Vegetables	12,832	Fairmont, Minn.	Oklahoma City,Okla.
12-10-56	2283	Frzn Vegetables	9,735	Fairmont, Minn.	Oklahoma City,Okla.
1-10-57	2397	Frzn Vegetables	3,540	Fairmont, Minn.	Oklahoma City,Okla.
1-30-57	2701	Frzn Vegetables	29,692	Fairmont, Minn.	Oklahoma City,Okla.
12-17-57	3749A	Frzn Vegetables	9,755	Fairmont, Minn.	Oklahoma City,Okla.
11-23-55	922	Frzn Vegetables	19,320	Fairmont, Minn.	Tulsa, Okla.
10-1-55	709	Frzn Vegetables	14,595	Fairmont, Minn.	Dayton, Ohio
10-1-55	709	Frzn Vegetables	17,267	Fairmont, Minn.	Lima, Ohio
10-29-55	793	Frzn Vegetables	23,703	Fairmont, Minn.	Philadelphia, Pa.
10-29-55	793	Frzn Vegetables	6,982	Fairmont, Minn.	Pittsburg, Pa.
4-11-55		Frzn Vegetables		Fairmont, Minn.	Memphis, Tenn.
4-8-55		Frzn Vegetables		Fairmont, Minn.	Nashville, Tenn.
11-16-55	869A	Frzn Vegetables	8,526	Fairmont, Minn.	Austin, Texas
1-9-56	1073	Frzn Vegetables	6,830	Fairmont, Minn.	Austin, Texas
10-7-55	748	Frzn Vegetables	26,555	Fairmont, Minn.	Amarillo, Texas
10-3-55	725	Frzn Vegetables	7,236	Fairmont, Minn.	Dallas, Texas
11-16-55	869A	Frzn Vegetables	10,082	Fairmont, Minn.	Dallas, Texas
12-24-55	1012	Frzn Vegetables	12,429	Fairmont, Minn.	Dallas, Texas
1-9-56	1073	Frzn Vegetables	14,557	Fairmont, Minn.	Dallas, Texas
1-30-56	1147	Frzn Vegetables	26,368	Fairmont, Minn.	Dallas, Texas
2-9-56	1195	Frzn Vegetables	6,673	Fairmont, Minn.	Dallas, Texas
2-11-56	1205	Frzn Vegetables	15,491	Fairmont, Minn.	Dallas, Texas
11-16-55	869A	Frzn Vegetables	8,527	Fairmont, Minn.	Ft. Worth, Texas
2-9-56	1195	Frzn Vegetables	7,460	Fairmont, Minn.	Ft. Worth, Texas

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DATE	PRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
10-3-55	725	Frzn Vegetables	17,074	Fairmont, Minn.	Houston, Texas
11-16-55	869A	Frzn Vegetables	5,310	Fairmont, Minn.	Houston, Texas
12-24-55	1012	Frzn Vegetables	12,429	Fairmont, Minn.	Houston, Texas
1-9-56	1073	Frzn Vegetables	4,470	Fairmont, Minn.	Houston, Texas
2-9-56	1195	Frzn Vegetables	3,584	Fairmont, Minn.	Houston, Texas
3-28-57	2638	Frzn Vegetables	30,439	Fairmont, Minn.	Houston, Texas
10-3-55	725	Frzn Vegetables	8,996	Fairmont, Minn.	San Antonio, Texas
12-24-55	1012	Frzn Vegetables	13,862	Fairmont, Minn.	San Antonio, Texas
2-9-56	1195	Frzn Vegetables	11,478	Fairmont, Minn.	San Antonio, Texas
2-11-56	1205	Frzn Vegetables	12,077	Fairmont, Minn.	San Antonio, Texas
3-28-57	2638	Frzn Vegetables	30,439	Fairmont, Minn.	San Antonio, Texas
12-5-55	934	Frzn Vegetables	7,661	Fairmont, Minn.	Birmingham, Ala.
10-26-56	798A	Frzn Vegetables	7,022	Fairmont, Minn.	Tuscaloosa, Ala.
12-5-55	934	Frzn Vegetables	4,340	Fairmont, Minn.	Dewey, Fla.
12-5-55	934	Frzn Vegetables	14,003	Fairmont, Minn.	Jacksonville, Fla.
12-5-55	934	Frzn Vegetables	5,246	Fairmont, Minn.	Umatilla, Fla.
4-11-55	[illegible]	Frzn Vegetables		Fairmont, Minn.	Monroe, La.
12-12-55	945	Frzn Vegetables	11,277	Fairmont, Minn.	Shreveport, La.
3-12-55		Frzn Vegetables		Fairmont, Minn.	New Orleans, La.
4-11-55		Frzn Vegetables		Fairmont, Minn.	New Orleans, La.
10-6-55	735	Frzn Vegetables	30,247	Fairmont, Minn.	New Orleans, La.
11-8-55	841	Frzn Vegetables	18,339	Fairmont, Minn.	New Orleans, La.
11-23-55	919	Frzn Vegetables	11,157	Fairmont, Minn.	New Orleans, La.
12-12-55	945	Frzn Vegetables	9,543	Fairmont, Minn.	New Orleans, La.
3-28-57	2638	Frzn Vegetables	30,439	Fairmont, Minn.	New Orleans, La.
10-26-56	798A	Frzn Vegetables	6,650	Fairmont, Minn.	New Orleans, La.
3-12-55		Frzn Vegetables	10,620	Fairmont, Minn.	Jackson, Miss.
4-11-55		Frzn Vegetables		Fairmont, Minn.	Jackson, Miss.
1-31-56	1160	Frzn Vegetables	15,307	Fairmont, Minn.	Jackson, Miss.

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DATE	PRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
6-29-54	B/L	Frzn Vegetables	31,950	Winnebago, Minn.	Kansas City, Kan.*
7-7-54	B/L	Frzn Vegetables	31,062	Winnebago, Minn.	Kansas City, Kan.*
7-1-54	B/L	Frzn Vegetables	30,175	Winnebago, Minn.	Manhattan, Kan.*
7-7-54	B/L	Frzn Vegetables	31,062	Winnebago, Minn.	Topeka, Kan.*
7-1-54	B/L	Frzn Vegetables	30,175	Winnebago, Minn.	Wichita, Kan.*
7-7-54	B/L	Frzn Vegetables	15,972	Winnebago, Minn.	Wichita, Kan.
6-29-54	B/L	Frzn Vegetables	31,950	Winnebago, Minn.	Kansas City, Mo.*
7-1-54	B/L	Frzn Vegetables	30,175	Winnebago, Minn.	Lincoln, Nebr. *
8-6-56	1813	Frzn Berries	30,000	Carthage, Mo.	Boston, Mass.
5-18-56		Frzn Berries	6,750	Carthage, Mo.	Minneapolis, Minn.
7-7-56	1512	Frzn Berries	625	Carthage, Mo.	Minneapolis, Minn.
7-3-57	3183	Frzn Berries	36,990	Carthage, Mo.	Minneapolis, Minn.
7-21-56	1746	Frzn Berries	31,350	Carthage, Mo.	Jersey City, N.J.
5-3-57	2943	Frzn Vegetables	30,000	Omaha, Nebr.	Springdale, Ark.
7-5-57	3193	Frzn Vegetables	30,000	Omaha, Nebr.	Springdale, Ark.
2-4-57	2471	Frzn Fruit	32,430	Omaha, Nebr.	Modesto, Calif.
4-24-57	4193	Frzn Fruit	40,000	Omaha, Nebr.	Modesto, Calif.
1-20-58	3870	Frzn Fruit	39,104	Omaha, Nebr.	Modesto, Calif.
6-6-57	3064	Frzn Vegetables	31,200	Omaha, Nebr.	Milton, Del.
1-20-58	3843	Frzn Fruit	28,832	Omaha, Nebr.	Salisbury, Md.
7-9-57	3192A	Frzn Vegetables	25,812	Oklahoma City, Okla.	Burbank, Calif.
7-23-57	3240	Frzn Vegetables	3,382	Oklahoma City, Okla.	Burbank, Calif.
6-8-57	3077	Frzn Vegetables		Oklahoma City, Okla.	Chicago, Ill.
3-16-57	2599	Frzn Vegetables	37,876	Albany, Ore.	Springdale, Ark.
2-13-57	2493	Frzn Vegetables	35,700	Albany, Ore.	Van Buren, Ark.
3-13-58	4035	Frzn FruitBerr	14,778 *	Albany, Ore.	Kansas City, Kan.*
3-13-58	4035	Frzn FruitBerr	14,778 *	Albany, Ore.	Pittsburg, Kan.*

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DATE	PRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
9-18-57	3431	Frzn FruitVege	8,850 *	Albany, Ore.	Topeka, Kan.
3-12-58	4035	Frzn Vegetables	13,800 *	Albany, Ore.	Kansas City, Mo.
9-21-57	3452	Frzn VegetBerr	30,256 *	Albany, Ore.	Kansas City, Mo.
10-8-57	3495	Frzn VegetBerr	20,272 *	Albany, Ore.	Kansas City, Mo.
12-4-57	3709	Frzn Vegetables	16,942 *	Albany, Ore.	Kansas City, Mo.
1-18-58	3853	Frzn VegetBerr	37,526 *	Albany, Ore.	Kansas City, Mo.
3-13-58	4035	Frzn FruitBerr	14,778 *	Albany, Ore.	Oklahoma City, Okla.
9-10-57	3407	Frzn Vegetables	33,984	Dayton, Ore.	Kansas City, Kan.
2-10-58	3958	Frzn Berries	13,500	Gresham, Ore.	Kansas City, Mo.
10-8-57	3495	Frzn Berries	11,200	Hillsboro, Ore.	Dodge City, Kan.
3-15-58	4050	Frzn FruitVege	31,303	Hillsboro, Ore.	Oklahoma City, Okla.
2-12-55	B/L	Frzn Vegetables	17,680	Milton Freewater, Ore.	Marshall, Mo.
12-18-57	3750	Frzn Vegetables	4,768	Ontario, Ore.	Ft. Smith, Ark.
1-17-58	3831	Frzn Vegetables	11,640	Ontario, Ore.	Little Rock, Ark.
10-16-57	3495	Frzn Vegetables	1,419	Ontario, Ore.	Dodge City, Kan.
4-17-58	4165	Frzn Vegetables	12,000	Ontario, Ore.	Dodge City, Kan.
1-11-57	2307	Frzn Vegetables	2,400	Ontario, Ore.	Hutchinson, Kan.
1-11-57	2307	Frzn Vegetables	8,150	Ontario, Ore.	Hutchinson, Kan.
3-17-58	4051	Frzn Vegetables	5,300	Ontario, Ore.	Hutchinson, Kan.
2-19-58	3958	Frzn Vegetables	27,100 *	Ontario, Ore.	Kansas City, Kan.*
9-4-57	3383	Frzn Vegetables	4,150 *	Ontario, Ore.	Meade, Kan.
9-16-57	3423	Frzn Vegetables	2,525	Ontario, Ore.	Meade, Kan.
3-10-58	4022	Frzn Vegetables	4,104	Ontario, Ore.	Smith Center, Kan.
2-10-58	3923	Frzn Vegetables	17,488	Ontario, Ore.	Topeka, Kan.
9-16-57	3423	Frzn Vegetables	5,150	Ontario, Ore.	Wichita, Kan.
12-4-57	3709	Frzn Vegetables	13,100 *	Ontario, Ore.	Wichita, Kan.

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DATE	PRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
1-15-58	3831	Frzn Vegetables	16,400 *	Ontario, Ore.	Wichita, Kan.
1-28-58	3885	Frzn Vegetables	3,200	Ontario, Ore.	Wichita, Kan.
1-28-58	3885	Frzn Vegetables	6,012	Ontario, Ore.	Wichita, Kan.
2-4-58	3906	Frzn Vegetables	20,702 *	Ontario, Ore.	Wichita, Kan.
9-4-57	3383	Frzn Vegetables	8,400	Ontario, Ore.	Kansas City, Mo.
10-8-57	3495	Frzn Vege&Berr	20,272 *	Ontario, Ore.	Kansas City, Mo.
12-4-57	3709	Frzn Vege&Berr	16,942 *	Ontario, Ore.	Kansas City, Mo.
12-18-57	3748	Frzn Vege&Berr	31,900 *	Ontario, Ore.	Kansas City, Mo.
12-18-57	3748	Frzn Vege&Berr	3,200	Ontario, Ore.	Kansas City, Mo.
1-18-58	3853	Frzn Vege&Berr	37,526 *	Ontario, Ore.	Kansas City, Mo.
2-10-58	3904	Frzn Vege&Berr	29,000 *	Ontario, Ore.	Kansas City, Mo.
3-12-58	4035	Frzn Vegetables	13,800 *	Ontario, Ore.	Kansas City, Mo.
3-31-58	4095	Frzn Vegetables	4,000	Ontario, Ore.	Kansas City, Mo.
3-31-58	4095	Frzn Vegetables	11,200	Ontario, Ore.	Kansas City, Mo.
4-17-58	4165	Frzn Vegetables	10,900 *	Ontario, Ore.	Kansas City, Mo.
4-29-58	4196	Frzn Vege&Berr	14,775 *	Ontario, Ore.	Kansas City, Mo.
4-9-56	1374	Frzn Vegetables		Ontario, Ore.	Bartlesville,Okla.
3-10-58	4022	Frzn Vegetables	2,186	Ontario, Ore.	Oklahoma City,Okla.
10-24-57	3392	Frzn Vegetables	9,820 *	Ontario, Ore.	Tulsa, Okla.
4-1-58	4102	Frzn Vegetables	4,788	Ontario, Ore.	Tulsa, Okla.
1-11-57	2307	Frzn Vegetables	6,400	Ontario, Ore.	Chattanooga, Tenn.
10-17-57	3499	Frzn Vegetables	31,185	Portland, Ore.	Van Buren, Ark.
3-3-58	4094	Frzn Berries	1,350	Portland, Ore.	Meade, Kan.
12-16-57	3745	Frzn Berries	8,500	Portland, Ore.	Topeka, Kan.
9-28-57	3470	Frzn Fru&Vege	3,500 *	Portland, Ore.	Wichita, Kan.
12-16-57	3745	Frzn Berries	11,900	Portland, Ore.	Wichita, Kan.
3-31-58	4094	Frzn Vege&Berr	23,575 *	Portland, Ore.	Wichita, Kan.
12-16-57	3745	Frzn Berries	669	Portland, Ore.	Kansas City, Mo.

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DATE	PRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
1-15-58	3939	FrsnVeg,FrukBerr	38,050 *	Portland, Ore.	Kansas City, Mo.
3-29-58	4100	FrsnVeg,FrukBerr	38,750 *	Portland, Ore.	Kansas City, Mo.
4-15-58	4157	Frsn Berries	56,556 *	Portland, Ore.	Kansas City, Mo.
2-29-56		Frsn Fruits		Portland, Ore.	Oklahoma City,Okla.*
9-4-57	3392	Frsn Berries	3,560 *	Portland, Ore.	Oklahoma City,Okla.
10-17-57	3499	Frsn VegetBerr	10,831	Portland, Ore.	Oklahoma City,Okla.
11-12-57	3621	Frsn VegetBerr	8,527	Portland, Ore.	Oklahoma City,Okla.
11-12-57	3621	Frsn Berries	2,700	Portland, Ore.	Oklahoma City,Okla.
11-30-57	3711	Frsn FrukVege	8,920	Portland, Ore.	Oklahoma City,Okla.
1-28-58	3885	Frsn FrukVege	10,948	Portland, Ore.	Oklahoma City,Okla.
3-10-58	4022	Frsn Berries	3,200	Portland, Ore.	Oklahoma City,Okla.
3-31-58	4079	Frsn Berries	32,992	Portland, Ore.	Oklahoma City,Okla.
3-31-58	4079	Frsn Vegetables	4,950	Portland, Ore.	Oklahoma City,Okla.
4-1-58	4102	Frsn Berries	9,024	Portland, Ore.	Oklahoma City,Okla.
2-29-56		Frsn Fruits		Portland, Ore.	Tulsa, Okla.*
11-12-57	3621	Frsn Berries	1,130	Portland, Ore.	Tulsa, Okla.
4-24-57	2773	Frsn Berries	6,240	Portland, Ore.	Muskogee, Okla.
9-4-57	3362	Frsn Fruits	3,800	Salem, Ore.	Emporia, Kan.
3-13-58	4035	Frsn FrukBerr	14,778 *	Salem, Ore.	Kansas City, Kan.
3-13-58	4035	Frsn FrukBerr	14,778 *	Salem, Ore.	Pittsburg, Kan.*
9-4-57	3362	Frsn Berries	4,962	Salem, Ore.	Topeka, Kan.
9-18-57	3431	Frsn FrukVege	8,850 *	Salem, Ore.	Topeka, Kan.
9-28-57	3468	Frsn Fruits	4,050	Salem, Ore.	Topeka, Kan.
12-16-57	3745	Frsn Berries	8,750	Salem, Ore.	Topeka, Kan.
9-4-57	3362	Frsn Berries	13,675	Salem, Ore.	Wichita, Kan.
9-18-57	3431	Frsn VegetBerr	3,400 *	Salem, Ore.	Wichita, Kan.
10-26-57	3572	Frsn Fruits	32,200	Salem, Ore.	Wichita, Kan.
9-4-57	3362	FrsnVeg,FrukBerr	15,300 *	Salem, Ore.	Kansas City, Mo.
9-21-57	3452	Frsn VegetBerr	30,256	Salem, Ore.	Kansas City, Mo.

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DATE	PRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
10-8-57	3495	Frzn VegetBerr	20,272 *	Salem, Ore.	Kansas City, Mo.
12-16-57	3745	Frzn Berries	5,232	Salem, Ore.	Kansas City, Mo.
2-10-58	3904	Frzn VegetBerr	29,000 *	Salem, Ore.	Kansas City, Mo.
3-25-58	4078	Frzn VegetBerr	28,730 *	Salem, Ore.	Kansas City, Mo.
4-15-58	4157	Frzn Berries	36,556 *	Salem, Ore.	Kansas City, Mo.
3-13-58	4035	Frzn FrutBerr	14,778 *	Salem, Ore.	Oklahoma City, Okla.
6-2-57	3142	Frzn Berries	32,900	Salem, Ore.	Dallas, Texas
4-29-57	2799	Frzn Vegetables	29,640	Weston, Ore.	Dardanelle, Ark.
5-2-57	2909	Frzn Vegetables	32,760	Weston, Ore.	Dardanelle, Ark.
2-19-58	3958	Frzn Vegetables	27,100 *	Weston, Ore.	Kansas City, Kan.*
9-16-55	B/L	Frzn Berries	14,880	Woodburn, Ore.	St. Joseph, Mo.
3-28-57	2656	Frzn FrutVege	8,930	Oregon & Utah	Oklahoma City, Okla.
3-28-58	2656	Frzn FrutVege	25,423	Oregon & Utah	Tulsa, Okla.
1-11-58	3830	Frzn Vegetables	3,420	Amarillo, Texas	Ft. Smith, Ark.
12-10-55		Frzn Vegetables	12,780	Carrizo Springs, Texas	Kansas City, Mo.
12-28-55		Frzn Vegetables	10,680	Carrizo Springs, Texas	Kansas City, Mo.
1-4-56		Frzn Vegetables	5,520	Carrizo Springs, Texas	Kansas City, Mo.
1-24-56		Frzn Vegetables	13,500	Carrizo Springs, Texas	Kansas City, Mo.
2-22-56		Frzn Vegetables	12,240	Carrizo Springs, Texas	Kansas City, Mo.
3-7-56		Frzn Vegetables	11,160	Carrizo Springs, Texas	Kansas City, Mo.
3-17-56		Frzn Vegetables	18,048	Carrizo Springs, Texas	Kansas City, Mo.
4-6-56		Frzn Vegetables	21,000	Carrizo Springs, Texas	Kansas City, Mo.
1-4-56		Frzn Vegetables	5,532	Carrizo Springs, Texas	Topeka, Kan.
2-22-56		Frzn Vegetables	6,000	Carrizo Springs, Texas	Topeka, Kan.
1-14-57	2367	Frzn Vegetables	30,352	McAllen, Texas	St. Louis, Mo.

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DATE	PRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
1-21-55	B/L	Frzn Fruits	29,800	Winchester, Va.	Hutchinson, Kan.*
10-31-56	B/L	Frzn Fruits	32,000	Winchester, Va.	Hutchinson, Kan.*
1-21-55	B/L	Frzn Fruits	29,800	Winchester, Va.	Kansas City, Kan.*
2-28-55	B/L	Frzn Fruits	32,000	Winchester, Va.	Kansas City, Kan.
6-7-55	B/L	Frzn Fruits	32,800	Winchester, Va.	Kansas City, Kan.
1-31-56	B/L	Frzn Fruits	32,000	Winchester, Va.	Kansas City, Kan.*
9-5-56	B/L	Frzn Fruits	31,200	Winchester, Va.	Kansas City, Kan.*
10-23-56	B/L	Frzn Fruits	32,000	Winchester, Va.	Kansas City, Kan.
10-26-56	B/L	Frzn Fruits	30,000	Winchester, Va.	Kansas City, Kan.
10-5-56	B/L	Frzn Fruits	32,000	Winchester, Va.	Pittsburg, Kan.*
1-21-55	B/L	Frzn Fruits	29,800	Winchester, Va.	Wichita, Kan. *
10-5-56	B/L	Frzn Fruits	32,000	Winchester, Va.	Wichita, Kan.*
10-31-56	B/L	Frzn Fruits	32,000	Winchester, Va.	Wichita, Kan.*
1-31-56	B/L	Frzn Fruits	32,000	Winchester, Va.	Springfield, Mo.*
10-5-56	B/L	Frzn Fruits	32,000	Winchester, Va.	Springfield, Mo.*
1-21-55	B/L	Frzn Fruits	29,800	Winchester, Va.	Oklahoma City,Okla.*
2-28-55	B/L	Frzn Fruits	32,000	Winchester, Va.	Oklahoma City,Okla.
1-31-56	B/L	Frzn Fruits	32,000	Winchester, Va.	Oklahoma City,Okla.*
9-5-56	B/L	Frzn Fruits	31,200	Winchester, Va.	Oklahoma City,Okla.*
10-5-56	B/L	Frzn Fruits	32,000	Winchester, Va.	Oklahoma City,Okla.*
9-5-56	B/L	Frzn Fruits	31,200	Winchester, Va.	Tulsa, Okla.
12-18-57	3750	Frzn Vegetables	33,390	Arlington, Wash.	Clarksville, Ark.
2-18-58	3956	Frzn Vegetables	36,112	Arlington, Wash.	Clarksville, Ark.
3-20-58	4048	Frzn Vegetables	2,550	Arlington, Wash.	Ft. Smith, Ark.
3-19-58	4048	Frzn Vegetables	3,330	Arlington, Wash.	Little Rock, Ark.
1-15-58	3131	Frzn Vegetables	9,860	Arlington, Wash.	Hutchinson, Kan.
10-14-57	3522	Frzn Vegetables	34,000	Arlington, Wash.	Kansas City, Kan.
9-4-57	3383	Frzn Vegetables	4,150 *	Arlington, Wash.	Meade, Kan.

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DATE	PRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
10-7-57	3494	Frzn Vegetables	22,100	Arlington, Wash.	Smith Center, Kan.
10-23-57	3559	Frzn Vegetables	6,600 *	Arlington, Wash.	Wichita, Kan.
12-4-57	3709	Frzn Vegetables	13,100 *	Arlington, Wash.	Wichita, Kan.
1-15-58	3851	Frzn Vegetables	16,400 *	Arlington, Wash.	Wichita, Kan.
5-31-58	4094	Frzn VegetBerr	23,575 *	Arlington, Wash.	Wichita, Kan.
10-8-57	3494	Frzn Berries	7,200	Arlington, Wash.	Kansas City, Mo.
12-3-57	3579	Frzn Vegetables	3,400 *	Arlington, Wash.	Kansas City, Mo.
1-15-58	3839	FrznVeg,FrnBerr	38,050 *	Arlington, Wash.	Kansas City, Mo.
1-18-58	3853	Frzn VegetBerr	37,526 *	Arlington, Wash.	Kansas City, Mo.
1-15-58	3831	Frzn Vegetables	9,860 *	Arlington, Wash.	Enid, Okla.
2-4-58	3906	Frzn Vegetables	5,270	Arlington, Wash.	Enid, Okla.
2-9-57	3906	Frzn Vegetables	4,250	Arlington, Wash.	Hobart, Okla.
11-30-57	3711	Frzn Vegetables	29,085 *	Arlington, Wash.	Hobart, Okla.
10-23-57	3559	Frzn Vegetables	24,200	Arlington, Wash.	Oklahoma City,Okla.
10-23-57	3559	Frzn Vegetables	4,250	Arlington, Wash.	Oklahoma City,Okla.
11-30-57	3711	Frzn Vegetables	29,085	Arlington, Wash.	Oklahoma City,Okla.
2-22-58	3986	Frzn Vegetables	39,681 *	Auburn, Wash.	Smith Center, Kan.
4-17-58	4165	Frzn Vegetables	6,800	Burlington, Wash.	Emporia, Kan.
5-9-57	2918	Frzn Vegetables	5,000 *	Everett, Wash.	Topeka, Kan.
5-2-57	2903	Frzn Vegetables	13,750 *	Everett, Wash.	Wichita, Kan.
5-9-57	2918	Frzn Vegetables	8,800 *	Everett, Wash.	Wichita, Kan.
4-10-57	2719	Frzn Vegetables	7,055	Everett, Wash.	Oklahoma City,Okla.
5-2-57	2903	Frzn Vegetables	5,100	Everett, Wash.	Oklahoma City,Okla.
6-18-57	3085	Frzn Vegetables	17,000	Everett, Wash.	Oklahoma City,Okla.
8-2-57	3268	Frzn Vegetables	2,718	Everett, Wash.	Oklahoma City,Okla.
5-2-57	2909	Frzn Vegetables	6,350	Kent, Wash.	Meade, Kan.
2-22-58	3986	Frzn Vegetables	39,681 *	Kent, Wash.	Smith Center, Kan.

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DATE	PRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
4-18-58	4165	Frzn Vegetables	5,238 *	Kent, Wash.	Smith Center, Kan.
4-29-58	4196	Frzn Vegetables	4,550 *	Kent, Wash.	Smith Center, Kan.
8-10-57	3303	Frzn Fruits	20,950	Kent, Wash.	Oklahoma City,Okla.
2-26-58	3992	Frzn Vegetables	1,325	Monroe, Wash.	Fayetteville, Ark.
5-2-57	2903	Frzn Vegetables	16,375	Mt. Vernon, Wash.	Topeka, Kan.
5-9-57	2918	Frzn Vegetables	5,000 *	Mt. Vernon, Wash.	Topeka, Kan.
5-27-57	3113	Frzn Vegetables	12,600	Mt. Vernon, Wash.	Topeka, Kan.
9-18-57	3431	Frzn FruitVege	8,850 *	Mt. Vernon, Wash.	Topeka, Kan.
9-28-57	3468	Frzn Vegetables	32,000	Mt. Vernon, Wash.	Topeka, Kan.
5-2-57	2903	Frzn Vegetables	13,750 *	Mt. Vernon, Wash.	Wichita, Kan.
5-9-57	2918	Frzn Vegetables	8,800 *	Mt. Vernon, Wash.	Wichita, Kan.
9-18-57	3431	Frzn VegetBerr	3,400 *	Mt. Vernon, Wash.	Wichita, Kan.
9-28-57	3470	Frzn FruitVege	3,500 *	Mt. Vernon, Wash.	Wichita, Kan.
9-28-57	3470	Frzn Vegetables	15,040	Mt. Vernon, Wash.	Wichita, Kan.
3-18-58	4048	Frzn Vegetables	1,800	Mt. Vernon, Wash.	Smith Center, Kan.
9-28-57	3468	Frzn Vegetables	800	Mt. Vernon, Wash.	Kansas City, Mo.
9-18-56	1949	Frzn Vegetables	7,450	Mt. Vernon, Wash.	Oklahoma City,Okla.
5-27-57	3013	Frzn Vegetables	3,400	Mt. Vernon, Wash.	Oklahoma City,Okla.
6-15-57	3110A	Frzn Vegetables	2,400	Mt. Vernon, Wash.	Oklahoma City,Okla.
8-5-57	3284	Frzn Vegetables	1,600	Mt. Vernon, Wash.	Oklahoma City,Okla.
10-2-57	3470	Frzn Vegetables	11,000	Mt. Vernon, Wash.	Oklahoma City,Okla.
11-30-57	3714	Frzn Vegetables	36,600	Prosser, Wash.	Clarksville, Ark.
7-10-56	1662	Frzn Vegetables	36,400	Prosser, Wash.	Dardanelle, Ark.
7-20-56	1752	Frzn Vegetables	33,800	Prosser, Wash.	Dardanelle, Ark.
2-11-55	B/L	Frzn Vegetables	16,500	Prosser, Wash.	Kansas City, Kan.
5-4-55	B/L	Frzn Vegetables	15,810	Prosser, Wash.	Kansas City, Kan.
7-29-55	B/L	Frzn Vegetables	32,181	Prosser, Wash.	Kansas City, Kan.
5-28-55	B/L	Frzn Vegetables	7,650	Prosser, Wash.	St. Joseph, Mo.

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DATE	PRO	COMMODITY	WEIGHT		ORIGIN	DESTINATION
9-4-57	3362	FrznVeg,FruitBerr	15,300	*	Puyallup, Wash.	Kansas City, Mo.
1-15-58	3839	FrznVeg,FruitBerr	38,050	*	Puyallup, Wash.	Kansas City, Mo.
9-4-57	3392	Frzn Berries	2,560		Puyallup, Wash.	Bethany, Okla.
11-30-57	3711	Frzn Vegetables	29,085	*	Puyallup, Wash.	Hobart, Okla.*
9-4-57	3372	Frzn Berries	3,560	*	Puyallup, Wash.	Oklahoma City,Okla.
9-4-57	3392	Frzn Berries	6,000		Puyallup, Wash.	Oklahoma City,Okla.
11-30-57	3711	Frzn Vegetables	29,085	*	Puyallup, Wash.	Oklahoma City,Okla.*
3-31-58	4095	Frzn Berries	10,976		Ridgefield, Wash.	St. Joseph, Mo.
6-25-57	3112	Frzn Fruits	32,000		Seattle, Wash.	Wichita, Kan.
4-29-58	4196	Frzn Berries	17,500		Seattle, Wash.	Wichita, Kan.
9-18-57	3431	Frzn Vegetables	16,500		Seattle, Wash.	Kansas City, Mo.
10-29-57	3579	Frzn FruitVege	26,150		Seattle, Wash.	Kansas City, Mo.
8-2-57	3253	Frzn Vegetables	5,100		Snohomish, Wash.	Emporia, Kan.
2-10-58	3923	Frzn Vegetables	1,700		Snohomish, Wash.	Emporia, Kan.
9-4-57	3362	FrznFru,VegaBerr	15,300		Snohomish, Wash.	Kansas City, Mo.
9-18-57	3431	Frzn Fruits	9,000		Snohomish, Wash.	Kansas City, Mo.
10-8-57	3494	Frzn Vegetables	5,151		Snohomish, Wash.	Kansas City, Mo.
12-4-57	3709	Frzn Vegetables	8,500		Snohomish, Wash.	Kansas City, Mo.
12-18-57	3748	Frzn Vegetables	31,900	*	Snohomish, Wash.	Kansas City, Mo.
1-18-58	3853	Frzn VegetBerr	37,526	*	Snohomish, Wash.	Kansas City, Mo.
2-8-58	3923	Frzn VegetBerr	21,890		Snohomish, Wash.	Kansas City, Mo.
3-18-58	4048	Frzn VegetBerr	22,650		Snohomish, Wash.	Kansas City, Mo.
3-25-58	4078	Frzn VegetBerr	28,730	*	Snohomish, Wash.	Kansas City, Mo.
3-29-58	4100	FrznFru,VegaBerr	38,750	*	Snohomish, Wash.	Kansas City, Mo.
4-29-58	4196	Frzn VegetBerr	14,775	*	Snohomish, Wash.	Kansas City, Mo.
12-3-57	3579	Frzn Vegetables	3,400	*	Stanwood, Wash.	Kansas City, Mo.
10-29-57	3579	Frzn Vegetables	6,800		Stanwood, Wash.	Kansas City, Mo.

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DATE	PRO	COMMODITY	WEIGHT		ORIGIN	DESTINATION
3-18-58	4048	Frzn Vege&Berr	22,650		Sumner, Wash.	Kansas City, Mo.
3-29-58	4100	FrznVeg,Fru&Berr	38,750	*	Sumner, Wash.	Kansas City, Mo.
3-19-57	2619	Frzn Fruits	2,700		Sumner, Wash.	Oklahoma City,Okla.
8-6-57	3284	Frzn Fruits	2,700		Sumner, Wash.	Oklahoma City,Okla.
3-19-57	2619	Frzn Fruit	1,350		Sumner, Wash.	Tulsa, Okla.
8-6-57	3284	Frzn Fruit	2,700		Sumner, Wash.	Tulsa, Okla.
3-10-58	4022	Frzn Fruit	20,950		Sumner, Wash.	Tulsa, Okla.
2-13-58	3904	Frzn Vegetables	5,400		Tacoma, Wash.	Emporia, Kan.
9-4-56	B/L	Frzn Vegetables	4,653		Tacoma, Wash.	Kansas City, Kan.
2-18-58	3964	Frzn Vegetables	1,313		Tacoma, Wash.	Kansas City, Kan.
1-21-58	3631	Frzn Berries	900		Tacoma, Wash.	Wichita, Kan.
3-31-58	4094	Frzn Vege&Berr	23,575	*	Tacoma, Wash.	Wichita, Kan.
4-18-58	4172	Frzn Vegetables	37,500	*	Tacoma, Wash.	Wichita, Kan.
10-29-57	3579	Frzn Vege&Fru	26,150	*	Tacoma, Wash.	Kansas City, Mo.
4-1-58	4102	Frzn Vegetables	13,700		Tacoma, Wash.	Springfield, Mo.
9-4-57	3392	Frzn Berries	1,300		Tacoma, Wash.	Tulsa, Okla.
4-9-56		Frzn Berries	37,352		Vancouver, Wash.	Kansas City, Mo.
4-1-58	4102	Frzn Berries	6,400		Vancouver, Wash.	Tulsa, Okla.
5-4-55	B/L	Frzn Vegetables	19,500		Wenatchee, Wash.	Van Buren, Ark.
4-1-55	B/L	Frzn Vegetables	19,500		Wenatchee, Wash.	Marshall, Mo.
4-7-55	B/L	Frzn Vegetables	22,720		Wenatchee, Wash.	Marshall, Mo.
5-4-55	B/L	Frzn Vegetables	23,620		Wenatchee, Wash.	Marshall, Mo.
2-4-58	3906	Frzn Vegetables	6,300		Yakima, Wash.	Bethany, Okla.
5-27-55	B/L	Frzn Vegetables	11,360		Yakima, Wash.	Kansas City, Kan.*
2-22-58	3986	Frzn Vegetables	39,681	*	Zillah, Wash.	Smith Center, Kan.
4-18-58	4165	Frzn Vegetables	5,238	*	Zillah, Wash.	Smith Center, Kan.
4-29-58	4196	Frzn Vegetables	4,550	*	Zillah, Wash.	Smith Center, Kan.

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DATE	PRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
6-7-54	B/L	Fran Fruits	26,235	Green Bay, Wisc.	Kansas City, Kan.
7-24-54	B/L	Fran Fruits	31,200	Green Bay, Wisc.	Kansas City, Kan.*
7-16-54	B/L	Fran Fruits	31,200	Green Bay, Wisc.	Topeka, Kan.*
7-16-54	B/L	Fran Fruits	31,200	Green Bay, Wisc.	Kansas City, Mo.*
7-16-54	B/L	Fran Fruits	31,200	Green Bay, Wisc.	Springfield, Mo.*
7-24-54	B/L	Fran Fruits	31,200	Green Bay, Wisc.	St. Joseph, Mo.

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WILLIS SHAW FROZEN EXPRESS, INC.

ATTACHMENT 3

PART 2

FROZEN FRUITS, FROZEN BERRIES, & FROZEN VEGETABLES

FROZEN FRUITS, FROZEN BERRIES & FROZEN VEGETABLES IN THIS SECTION ARE LISTED IN DATE ORDER ACCORDING TO POINT OF ORIGIN, AND INVOLVES SHIPMENTS MADE MAY 1 - AUG 12, 1958.

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DATE	PRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
5-7-58	4246	Frzn Vegetables	33,000	Ft. Smith, Ark.	Chicago, Ill.
6-13-58	4357	Frzn Vegetables	13,300	Ft. Smith, Ark.	Chicago, Ill.
6-13-58	4357	Frzn Vegetables	14,600	Ft. Smith, Ark.	Chicago, Ill.
5-24-58	4300	Frzn Vegetables	31,692	Ft. Smith, Ark.	Kansas City, Kan.
7-28-58	4519	Frzn Vegs&Fruits	28,420	Ft. Smith, Ark.	Detroit, Mich.
6-6-58	4321	Frzn Berries	15,300	Ft. Smith, Ark.	St. Louis, Mo.
5-7-58	4244	Frzn Vegetables	28,000	Ft. Smith, Ark.	Camden, N. J. *
5-7-58	4244	Frzn Vegetables	28,000	Ft. Smith, Ark.	Philadelphia, Pa. *
6-17-58	4362	Frzn Vegetables	27,900	Ft. Smith, Ark.	Elmore, Va.
7-16-58	4455	Frzn Berries	4,800	Atascadero, Calif.	Wichita, Kan.
7-16-58	4455	Frzn Berries	1,600	Atascadero, Calif.	Wichita, Kan.
5-23-58	4285	Frzn Vegetables	37,800	Modesto, Calif.	Dodge City, Kan. *
6-3-58	4307	Frzn Vegs&Berr	28,100 *	Modesto, Calif.	Wichita, Kan.
5-23-58	4285	Frzn Vegetables	37,800	Modesto, Calif.	Carthage, Mo. *
5-20-58	4272	Frzn Vegetables	36,900	Modesto, Calif.	Kansas City, Mo.
6-5-58	4299	Frzn Vegs&Berr	39,800 *	Modesto, Calif.	Kansas City, Mo.
6-18-58	4345	Frzn Fru,Vegs&Berr	39,019 *	Modesto, Calif.	Kansas City, Mo.
6-20-58	4345	Frzn Vegetables	9,018 *	Modesto, Calif.	Kansas City, Mo.
7-16-58	4457	Frzn Fru,Vegs&Berr	23,727	Modesto, Calif.	Kansas City, Mo.
8-5-58	4538	Frzn Vegetables	36,668	Modesto, Calif.	Kansas City, Mo.
5-24-58	4283	Frzn Vegetables	29,601	Modesto, Calif.	Oklahoma City, Okla.
8-1-58	4500	Frzn Vegetables	42,274	Modesto, Calif.	Oklahoma City, Okla.
7-17-58	4453	Frzn Vegetables	97,050 *	Oxnard, Calif.	Smith Center, Kan.
5-12-58	4254	Frzn Vegetables	41,600	Sacramento, Calif.	Springdale, Ark.
5-19-58	4271	Frzn Vegetables	41,600	Sacramento, Calif.	Springdale, Ark.
6-12-58	4296	Frzn Vegetables	41,600	Sacramento, Calif.	Springdale, Ark.
5-12-58	4233	Frzn Vegetables	6,160 *	Sacramento, Calif.	Wichita, Kan.

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DATE	PRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
7-16-58	4457	Frzn Berries	4,000	Salinas, Calif.	Leavenworth, Kan.
7-22-58	4481	Frzn Berries	4,875	Salinas, Calif.	St. Joseph, Mo.
5-13-58	4249	Frzn Fru&Vege.	36,300 *	Sanger, Calif.	Kansas City, Mo.
5-31-58	4308	Frzn Fru&Vege	30,364	Sanger, Calif.	Kansas City, Mo.
6-18-58	4361	Frzn Fruits	13,360	Sanger, Calif.	Kansas City, Mo.
6-18-58	4345	Frzn Fru,Berr&Veg.	39,019 *	Sanger, Calif.	Kansas City, Mo.
6-20-58	4345	Frzn Vegetables	9,018 *	Sanger, Calif.	Kansas City, Mo.
7-16-58	4457	Frzn Fruits	1,450	Sanger, Calif.	Kansas City, Mo.
7-16-58	4457	Frzn Berries	49	Sanger, Calif.	Kansas City, Mo.
8-9-58	4552	Frzn Fruits	67	Sanger, Calif.	Kansas City, Mo.
5-24-58	4263	Frzn Vegetables	29,601 *	Sanger, Calif.	Oklahoma City, Okla.
6-3-58	4307	Frzn Vege&Berr	28,100 *	San Jose, Calif.	Wichita, Kan.
6-3-58	4307	Frzn Vegetables	7,800 *	San Jose, Calif.	Oklahoma City, Okla.
6-18-58	4361	Frzn Vegetables	2,550	Santa Clara, Calif.	Smith Center, Kan.
7-17-58	4453	Frzn Vegetables	7,050 *	Santa Clara, Calif.	Smith Center, Kan.
6-5-58	4299	Frzn Vege&Berr	39,800 *	Santa Clara, Calif.	Kansas City, Mo.
5-12-58	4130	Frzn Vegetables	13,600	San Francisco, Calif.	Davenport, Iowa *
5-12-58	4130	Frzn Vegetables	13,600	San Francisco, Calif.	St. Louis, Mo. *
6-3-58	4307	Frzn Vegetables	7,800 *	Santa Maria, Calif.	Oklahoma City, Okla.
7-26-58	4506	Frzn Berries	3,200	Soquel, Calif.	Wichita, Kan.
5-12-58	4233	Frzn Vegetables	6,160 *	Yuba City, Calif.	Wichita, Kan.
6-13-58	4351	Frzn Berries	4,500	Watsonville, Calif.	Hutchinson, Kan.
7-26-58	4506	Frzn Berries	22,510	Watsonville, Calif.	Hutchinson, Kan.
5-12-58	4239	Frozen Berries	9,000	Watsonville, Calif.	Liberal, Kan.
6-13-58	4351	Frzn Berries	2,200	Watsonville, Calif.	Liberal, Kan.

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DATE	PRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
6-13-58	4351	Frzn Berries	3,015	Watsonville, Calif.	Meade, Kan.
7-9-58	4419	Frzn Fru&Berr	34,215	Watsonville, Calif.	Pittsburg, Kan.
5-13-58	4252	Frzn Vege&Berr	3,505	Watsonville, Calif.	Topeka, Kan.
5-13-58	4252	Frzn Berries	23,800	Watsonville, Calif.	Topeka, Kan.
7-17-58	4453	Frzn Vegetables	8,240	Watsonville, Calif.	Topeka, Kan.
5-12-58	4233	Frzn Berries	31,600	Watsonville, Calif.	Wichita, Kan.
5-12-58	4233	Frzn Berries	9,630	Watsonville, Calif.	Wichita, Kan.
6-13-58	4351	Frzn Vege&Berr	8,600	Watsonville, Calif.	Wichita, Kan.
5-13-58	4249	Frzn Vegetables	4,100	Watsonville, Calif.	Kansas City, Mo.
5-13-58	4252	Frzn Berries	18,800	Watsonville, Calif.	Kansas City, Mo.
5-13-58	4249	Frzn Fru&Vege	36,300 *	Watsonville, Calif.	Kansas City, Mo.
6-5-58	4299	Frzn Vege&Berr	39,800 *	Watsonville, Calif.	Kansas City, Mo.
6-5-58	4314	Frzn Vegetables	44,622	Watsonville, Calif.	Kansas City, Mo.
6-18-58	4361	Frzn Fru&Vege	17,391	Watsonville, Calif.	Kansas City, Mo.
6-26-58	4506	Frzn Vegetables	3,788	Watsonville, Calif.	Kansas City, Mo.
7-17-58	4453	Frzn Vegetables	15,835	Watsonville, Calif.	Kansas City, Mo.
7-22-58	4481	Frzn Fru&Vege	33,838	Watsonville, Calif.	Kansas City, Mo.
7-26-58	4506	Frzn Fru&Berr	3,200	Watsonville, Calif.	Kansas City, Mo.
8-9-58	4552	Frzn Vegetables	22,043	Watsonville, Calif.	Kansas City, Mo.
5-12-58	4239	Frzn Fruit	3,360	Watsonville, Calif.	Oklahoma City, Okla.
5-12-58	4239	Frzn Berries	6,900	Watsonville, Calif.	Oklahoma City, Okla.
5-24-58	4283	Frzn Fru&Berr	5,494	Watsonville, Calif.	Oklahoma City, Okla.
5-24-58	4283	Frzn Fru&Berr	10,600	Watsonville, Calif.	Oklahoma City, Okla.
5-24-58	4283	Frzn Vegetables	29,601 *	Watsonville, Calif.	Oklahoma City, Okla.
6-13-58	4357	Frzn Fru&Berr	4,538	Watsonville, Calif.	Oklahoma City, Okla.
6-14-58	4351	Frzn Berries	1,635	Watsonville, Calif.	Oklahoma City, Okla.
7-17-58	4455	Frzn Fruit	1,080	Watsonville, Calif.	Oklahoma City, Okla.
7-26-58	4496	Frzn Fru&Berr	14,900	Watsonville, Calif.	Oklahoma City, Okla.
7-26-58	4496	Frzn Fru,Berr&Vege	11,175	Watsonville, Calif.	Oklahoma City, Okla.

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DATE	PRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
5-12-58	4239	Frzn Fru&Vege	3,705	Watsonville, Calif.	Tulsa, Okla.
6-13-58	4351	Frzn Vegetables	7,175	Watsonville, Calif.	Tulsa, Okla.
7-26-58	4496	Frzn Berries	17,200	Watsonville, Calif.	Tulsa, Okla.
8-11-58	4555	Frzn Vegetables	4,480	Denver, Colorado	Tulsa, Okla.
6-19-58	4379	Frzn Vegetables	30,988	Clayton, Del.	Springdale, Ark.
6-2-58	4291	Frzn Vegetables	38,200	Caldwell, Idaho	Little Rock, Ark. *
6-2-58	4291	Frzn Vegetables	38,200	Caldwell, Idaho	New Orleans, La. *
6-2-58	4291	Frzn Vegetables	38,200	Caldwell, Idaho	Shreveport, La. *
7-7-58	4423	Frzn Vegetables	32,000	Caldwell, Idaho	Lincoln, Neb.
5-6-58	4221	Frzn Fru&Vege	34,164 *	Caldwell, Idaho	Tulsa, Okla.
6-26-58	4355	Frzn Vegetables	15,400	Caldwell, Idaho	Memphis, Tenn.
8-5-58	4539	Frzn Fru,Berr&Vege	34,837 *	Chicago, Ill.	Kansas City, Mo.
6-9-58	4339	Frzn Vegetables	20,146	Kansas City, Kan.	Los Angeles, Calif.
8-1-58	4516	Frzn Vegetables	40,260	Kansas City, Kan.	Topeka, Kan. *
8-1-58	4516	Frzn Vegetables	40,260	Kansas City, Kan.	Wichita, Kan. *
8-1-58	4516	Frzn Vegetables	40,260	Kansas City, Kan.	Kansas City, Mo. *
8-9-58	4516	Frzn Vegetables	40,260	Kansas City, Kan.	Kansas City, Mo.
7-19-58	4483	Frzn Berries	16,000	Benton Harbor, Mich.	Wichita, Kan.
5-14-58	4250	Frzn Berries	32,000	Benton Harbor, Mich.	Kansas City, Mo.
5-27-58	4289	Frzn Vege&Fru	32,891 *	Benton Harbor, Mich.	Kansas City, Mo.
5-27-58	4280	Frzn Fruits	31,170 *	Benton Harbor, Mich.	Kansas City, Mo.
7-23-58	4489	Frzn Fru&Berr	31,900	Benton Harbor, Mich.	Kansas City, Mo.
5-27-58	4289	Frzn Fru&Vege	32,891 *	Beulah, Mich.	Kansas City, Mo.
7-22-58	4495	Frzn Fruits	8,000	Frankfort, Mich.	Wichita, Kan.
8-5-58	4493	Frzn Berries	16,000	Frankfort, Mich.	Wichita, Kan.
5-13-58	4242	Frzn Fruits	29,996 *	Frankfort, Mich.	Kansas City, Mo.

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DATE	PRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
7-17-58	4472	Frzn Berries		Lawrence, Mich.	Kansas City, Kan.
7-19-58	4483	Frzn Berries	16,000	Lawrence, Mich.	Topeka, Kan.
6-19-58	4363A	Frzn Fruits	20,550	Traverse City, Mich.	Hutchinson, Kan.
7-22-58	4495	Frzn Fruits	24,575	Traverse City, Mich.	Hutchinson, Kan.
8-5-58	4493	Frzn Berries	16,825	Traverse City, Mich.	Hutchinson, Kan.
5-13-58	4242	Frzn Fruits	29,996 *	Traverse City, Mich.	Kansas City, Mo.
5-27-58	4289	Frzn Vegs&Fru	32,891 *	Traverse City, Mich.	Kansas City, Mo.
5-27-58	4280	Frzn Fruits	31,170 *	Traverse City, Mich.	Kansas City, Mo.
6-5-58	4321	Frzn Fruits	32,000	Traverse City, Mich.	Kansas City, Mo.
6-18-58	4319	Frzn Berries	32,000	Traverse City, Mich.	Kansas City, Mo.
6-19-58	4362	Frzn Fruits	32,110	Traverse City, Mich.	Kansas City, Mo.
7-2-58	4407	Frzn Fruits	32,000	Traverse City, Mich.	Kansas City, Mo.
7-9-58	4425	Frzn Fru&Berr	30,240	Traverse City, Mich.	Kansas City, Mo.
7-23-58	4471	Frzn Fruits	32,000	Traverse City, Mich.	Kansas City, Mo.
8-5-58	4539	Frzn Fru,Berr&Vegs	32,837 *	Traverse City, Mich.	Kansas City, Mo.
8-29-58	4605	Frzn Vegetables	37,962	Fairmont, Minn.	Springdale, Ark.
5-16-58	4192	Frzn Vegetables	4,522	Fairmont, Minn.	Smith Center, Kan.
5-16-58	4245	Frzn Vegetables	7,259	Fairmont, Minn.	Smith Center, Kan.
6-17-58	4359	Frzn Vegetables	15,028	Fairmont, Minn.	Smith Center, Kan.
8-5-58	4532	Frzn Vegetables	8,500	Fairmont, Minn.	Smith Center, Kan.
5-8-58	4246	Frzn Vegetables	32,460	Fairmont, Minn.	Kansas City, Mo.
5-24-58	4297	Frzn Vegetables	29,979	Fairmont, Minn.	Kansas City, Mo.
6-9-58	4341	Frzn Vegetables	21,505	Fairmont, Minn.	Kansas City, Mo.
6-17-58	4359	Frzn Vegetables	6,803	Fairmont, Minn.	Kansas City, Mo.
7-1-58	4408	Frzn Vegetables	31,069	Fairmont, Minn.	Kansas City, Mo.
7-7-58	4442	Frzn Vegetables	18,335	Fairmont, Minn.	Kansas City, Mo.
7-21-58	4479	Frzn Vegetables	28,279	Fairmont, Minn.	Kansas City, Mo.
8-5-58	4532	Frzn Vegetables	19,050	Fairmont, Minn.	Kansas City, Mo.

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DATE	PRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
5-16-58	4245	Frzn Vegetables	2,666	Fairmont, Minn.	St. Joseph, Mo.
6-9-58	4341	Frzn Vegetables	10,180	Fairmont, Minn.	St. Joseph, Mo.
7-7-58	4442	Frzn Vegetables	6,800	Fairmont, Minn.	St. Joseph, Mo.
6-30-58	4359	Frzn Vegetables	6,548	Waseca, Minn.	Van Buren, Ark.
5-24-58	4297	Frzn Vegetables	35,168 *	St. Joseph, Mo.	Fairmont, Minn.
6-19-58	4347	Frzn Vegetables	34,680	Omaha, Neb.	Springdale, Ark.
6-25-58	4404	Frzn Vegetables	33,125	Omaha, Neb.	Fayetteville, Ark.
5-19-58	4274	Frzn Fruit	40,310	Omaha, Neb.	Modesto, Calif.
5-24-58	4297	Frzn Vegetables	35,168 *	Omaha, Neb.	Fairmont, Minn.
6-19-58	4366	Frzn Vegetables	30,728	Camden, N. J.	Springdale, Ark.
7-17-58	4462	Frzn Berries	2,900 *	Hillsboro, Oreg.	Bethany, Okla.
6-14-58	4344	Frzn Vegs&Berr	37,555 *	Milton, Oreg.	Kansas City, Mo.
6-3-58	4306	Frzn Vegs&Fru	26,210 *	Milton Freewater, Ore.	Kansas City, Mo.
7-12-58	4413	Frzn Vegetables	10,075	Ontario, Oreg.	Denver, Colo.
8-8-58	4523	Frzn Vegetables	5,600	Ontario, Oreg.	Dodge City, Kan.
5-7-58	4225A	Frzn Vegetables	982	Ontario, Oreg.	Kansas City, Kan.
5-13-58	4235	Frzn Vegetables	4,200	Ontario, Oreg.	Kansas City, Kan.
5-13-58	4235	Frzn Vegetables	4,800	Ontario, Oreg.	Kansas City, Kan.
5-20-58	4270	Frzn Vegetables	982	Ontario, Oreg.	Kansas City, Kan.
7-12-58	4413	Frzn Vegetables	8,000	Ontario, Oreg.	Kansas City, Kan.
7-29-58	4503	Frzn Vegetables	6,808 *	Ontario, Oreg.	Smith Center, Kan.
6-3-58	4306	Frzn Vegetables	5,082	Ontario, Oreg.	Wichita, Kan.
7-24-58	4480	Frzn Vegetables	13,853	Ontario, Oreg.	Wichita, Kan. *
3-15-58	4037	Frzn Vegs&Berr	23,558 *	Ontario, Oreg.	Kansas City, Mo.
5-6-58	4225A	Frzn Vegetables	22,746 *	Ontario, Oreg.	Kansas City, Mo.

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DATE	PRO	COMMODITY	WEIGHT		ORIGIN	DESTINATION
5-26-58	4270	Frzn Vegetables	27,832		Ontario, Oreg.	Kansas City, Mo.
6-14-58	4344	Frzn Vege&Berr	37,555	*	Ontario, Oreg.	Kansas City, Mo.
7-12-58	4413	Frzn Vegetables	12,800		Ontario, Oreg.	Kansas City, Mo.
7-24-58	4480	Frzn Vegetables	13,853		Ontario, Oreg.	Kansas City, Mo. *
8-29-58	4605	Frzn Vegetables	3,200		Ontario, Oreg.	Kansas City, Mo.
8-8-58	4523	Frzn Vegetables	5,600		Ontario, Oreg.	St. Joseph, Mo.
7-16-58	4452	Frzn Vegetables	14,405		Ontario, Oreg.	Oklahoma City, Okla.*
6-26-58	4355	Frzn Vegetables	5,650		Ontario, Oreg.	Tulsa Okla.
7-16-58	4452	Frzn Vegetables	14,405		Ontario, Oreg.	Tulsa Okla.
5-29-58	4292	Frzn Berries	16,202	*	Portland, Oreg.	Enid, Okla.
8-11-58	4555	Frzn Berries	9,000		Portland, Oreg.	Muskogee, Okla.
5-29-58	4292	Frzn Vegetables	12,515		Portland, Oreg.	Oklahoma City, Okla.
5-29-58	4292	Frzn Berries	16,202	*	Portland, Oreg.	Oklahoma City, Okla.*
6-6-58	4292	Frzn Vegetables	3,350		Portland, Oreg.	Oklahoma City, Okla.
6-27-58	4355	Frzn Vegetables	4,857		Portland, Oreg.	Oklahoma City, Okla.
6-27-58	4355	Frzn Berries	675		Portland, Oreg.	Oklahoma City, Okla.
7-11-58	4437	Frzn Vegetables	6,105		Portland, Oreg.	Oklahoma City, Okla.
8-11-58	4555	Frzn Vegetables	5,365		Portland, Oreg.	Oklahoma City, Okla.
5-6-58	4221	Frzn Vege&Fru	34,164	*	Portland, Oreg.	Tulsa, Okla.
6-27-58	4355	Frzn Vegetables	825		Portland, Oreg.	Tulsa, Okla.
8-11-58	4555	Frzn Vege&Berr	12,508		Portland, Oreg.	Tulsa, Okla.
6-26-58	4355	Frzn Fru&Berr	9,650	*	Salem, Oreg.	Smith Center, Kan.
7-16-58	4452	Frzn Berries	11,246		Salem, Oreg.	Wichita, Kan.
5-21-58	4262	Frzn Vege&Berr	39,253	*	Salem, Oreg.	Kansas City, Mo.
6-3-58	4306	Frzn Vege&Fru	26,210	*	Salem, Oreg.	Kansas City, Mo.
6-10-58	4332	Frzn Fruits	36,690		Salem, Oreg.	Kansas City, Mo.
6-11-58	4329	Frzn Berries	2,200		Salem, Oreg.	Kansas City, Mo.
6-14-58	4344	Frzn Vege&Berr	37,555		Salem, Oreg.	Kansas City, Mo.

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DATE	PRO	COMMODITY	WEIGHT		ORIGIN	DESTINATION
6-28-58	4393	Frzn Fruits	37,342		Salem, Oreg.	Kansas City, Mo.
7-15-58	4449	Frzn Berries	720		Salem, Oreg.	Kansas City, Mo.
7-15-58	4449	Frzn Berries	1,200		Salem, Oreg.	Kansas City, Mo.
7-17-58	4452	Frzn Berries	2,100		West Salem, Oreg.	Kansas City, Mo.
5-29-58	4292	Frzn Fru,Berr&Vege	5,965		Salem, Oreg.	Bethany, Okla.
7-17-58	4452	Frzn Berries	2,900	*	Salem, Oreg.	Bethany, Okla.
7-16-58	4455	Frzn Fru&Berr	4,160		Sherwood, Oreg.	Oklahoma City, Okla.
7-16-58	4452	Frzn Berries	6,950		Sherwood, Oreg.	Tulsa, Okla.
1-28-58	3885	Frzn Vegetables	16,625		Weston, Oreg.	Denver, Colo.
5-24-58	4280	Frzn Vegetables	11,900	*	Weston, Oreg.	Kansas City, Kan.
5-6-58	4221	Frzn Vege&Fru	34,164	*	Weston, Oreg.	Tulsa, Okla.
8-8-58	4523	Frzn Vege&Berr	14,958		Woodburn, Oreg.	Kansas City, Mo.
7-9-58	4456	Frzn Berries	30,000		Tyler, Tex.	Minneapolis, Minn.
6-28-58	4392	Frzn Vegetables	2,550		Arlington, Wash.	Ft. Smith, Ark.
6-3-58	4305	Frzn Vegetables	18,275	*	Arlington, Wash.	Denver, Colo.
5-24-58	4280	Frzn Vegetables	11,900	*	Arlington, Wash.	Kansas City, Kan.
6-3-58	4305	Frzn Vegetables	14,451	*	Arlington, Wash.	Wichita, Kan.
7-8-58	4434	Frzn Fru,Berr&Vege	22,350	*	Arlington, Wash.	Wichita, Kan.
5-17-58	4260	Frzn Berries	39,048	*	Auburn, Wash.	Kansas City, Mo.
5-13-58	4235	Frzn Vegetables	6,200	*	Kent, Wash.	Smith Center, Kan.
7-29-58	4503	Frzn Vegetables	6,808	*	Kent, Wash.	Smith Center, Kan.
6-3-58	4305	Frzn Vegetables	18,275	*	Prosser, Wash.	Denver, Colo.
7-18-58	4449	Frzn Fru,Berr&Vege	31,665		Prosser, Wash.	Kansas City, Mo.
6-11-58	4329	Frzn Berries	1,600		Puyallup, Wash.	Kansas City, Kan.
6-26-58	4355	Frzn Fru&Berr	9,650	*	Puyallup, Wash.	Smith Center, Kan.

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DATE	PRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
6-3-58	4305	Frzn Vegetables	14,451 *	Puyallup, Wash.	Wichita, Kan.
5-21-58	4262	Frzn Vegt&Berr	39,253 *	Puyallup, Wash.	Kansas City, Mo.
8-9-58	4523	Frzn Fruit	9,000	Seattle, Wash.	Dodge City, Kan.
6-3-58	4305	Frzn Vegetables	14,451 *	Seattle, Wash.	Wichita, Kan.
5-17-58	4260	Frzn Berries	39,048 *	Seattle, Wash.	Kansas City, Mo.
6-3-58	4306	Frzn Vegt&Fru	26,210 *	Seattle, Wash.	Kansas City, Mo.
7-29-58	4503	Frzn Berries	13,662	Seattle, Wash.	Kansas City, Mo.
5-29-58	4292	Frzn Berries	16,202 *	Seattle, Wash.	Enid, Okla. *
5-29-58	4292	Frzn Berries	16,202 *	Seattle, Wash.	Okla City, Okla. *
5-6-58	4225A	Frzn Vegetables	22,746 *	Snohomish, Wash.	Kansas City, Mo.
5-21-58	4262	Frzn Vegt&Berr	39,253 *	Snohomish, Wash.	Kansas City, Mo.
5-24-58	4280	Frzn Vegt&Berr	21,675	Snohomish, Wash.	Kansas City, Mo.
6-14-58	4344	Frzn Vegt&Berr	37,555 *	Snohomish, Wash.	Kansas City, Mo.
7-24-58	4480	Frzn Vegetables	4,950	Snohomish, Wash.	Kansas City, Mo.
8-12-58	4547	Frzn Vegetables	8,330	Snohomish, Wash.	Kansas City, Mo.
5-6-58	4225A	Frzn Vegetables	22,746 *	Sumner, Wash.	Kansas City, Mo.
8-13-58	4562	Frzn Berries	35,100	Tacoma, Wash.	Kansas City, Kan.
7-8-58	4434	Frzn Berries	9,000	Tacoma, Wash.	Topeka, Kan.
7-21-58	4473	Frzn Berries	13,500	Tacoma, Wash.	Topeka, Kan.
8-6-58	4531	Frzn Berries	22,500	Tacoma, Wash.	Topeka, Kan.
7-8-58	4434	Frzn Fru,Berr&Vege	22,350 *	Tacoma, Wash.	Wichita, Kan.
7-12-58	4437	Frzn Berries	18,000	Tacoma, Wash.	Wichita, Kan.
7-21-58	4473	Frzn Berries	9,000	Tacoma, Wash.	Wichita, Kan.
8-6-58	4530	Frzn Berries	22,500	Tacoma, Wash.	Wichita, Kan.
7-8-58	4434	Frzn Berries	6,300	Tacoma, Wash.	Kansas City, Mo.
7-21-58	4473	Frzn Berries	13,500	Tacoma, Wash.	Kansas City, Mo.
8-6-58	4531	Frzn Berries	13,500	Tacoma, Wash.	Kansas City, Mo.

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DATE	PRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
7-12-58	4437	Frzn Berries	9,000	Tacoma, Wash.	Oklahoma City, Okla.
7-24-58	4480	Frzn Fruits	4,800	Wenatchee, Wash.	Kansas City, Kan. *
7-24-58	4480	Frzn Vegetables	3,300	Wenatchee, Wash.	Wichita, Kan. *
5-13-58	4235	Frzn Vegetables	6,200 *	Zillah, Wash.	Smith Center, Kan.
7-29-58	4503	Frzn Vegetables	6,808 *	Zillah, Wash.	Smith Center, Kan.

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VILLIS SHAW FROZEN EXPRESS, INC.

ATTACHMENT 3

PART 3

FROZEN FRUITS, FROZEN BERRIES, & FROZEN VEGETABLES

FROZEN FRUITS, FROZEN BERRIES, & FROZEN VEGETABLES IN THIS SECTION ARE LISTED IN DATE ORDER ACCORDING TO POINT OF ORIGIN, AND INVOLVES SHIPMENTS MADE AUG 12, 1958 TO OCTOBER 27, 1958.

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DATE	FRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
8-19-58	4589	Frzn Vege&Berr	20,600	Ft. Smith, Ark.	Chicago, Ill.
9-30-58	4712	Frozen Berries	3,600	Atascadero, Calif.	Wichita, Kan.
10-14-58	4761	Frozen Berries	3,125	Fresno, Calif.	Wichita, Kan.
9/30/58	4702	Frzn Vege&Fruits	39,385	Los Angeles, Calif.	Kansas City, Kan.
9-10-58	4627	Frzn Vegetables	3,680	Modesto, Calif.	Kansas City, Kan.
9-22-58	4692	Frozen Fruit	12,600	Modesto, Calif.	Pittsburg, Kan.*
9-4-58	4627	Frzn Vegetables	10,065	Modesto, Calif.	Carthage, Mo.
9-22-58	4692	Frozen Fruit	12,600	Modesto, Calif.	Carthage, Mo.
8-26-58	4604	Frzn Vegetables	2,250	Modesto, Calif.	Kansas City, Mo.
8-26-58	4604	Frzn Fruits&Vege	15,733 *	Modesto, Calif.	Kansas City, Mo.
10-1-58	4715	Frzn Vegetables	37,970	Modesto, Calif.	Kansas City, Mo.
10-8-58	4721	Frzn Fruits&Vege	24,600 *	Modesto, Calif.	Kansas City, Mo.
9-22-58	4692	Frozen Fruit	12,600	Modesto, Calif.	Springfield, Mo.*
9-16-58	4676	Frzn Vegetables	6,100	Oakland, Calif.	Smith Center, Kan.
8-26-58	4604	Frzn Vege&Berr	12,328 *	Oxnard, Calif.	Smith Center, Kan.
9-30-58	4702	Frzn Fruits&Vege	39,385 *	Paramount, Calif.	Kansas City, Kan.
9-5-58	4638	Frozen Fruits	5,300 *	Paramount, Calif.	Lawrence, Kan.
8-29-58	4623	Frzn Vegetables	37,440	Salinas, Calif.	Clarksville, Ark.*
8-29-58	4623	Frzn Vegetables	37,440	Salinas, Calif.	Dardanelle, Ark.*
9-30-58	4702	Frzn Fruits&Vege	39,385 *	Salinas, Calif.	Kansas City, Kan.
10-8-58	4721	Frozen Berries	4,875	Salinas, Calif.	St. Joseph, Mo.
8-28-58	4612	Frozen Fruit	2,270	Salinas, Calif.	Tulsa, Okla.
9-30-58	4712	Frozen Fruit	3,400	Salinas, Calif.	Tulsa, Okla.
9-13-58	4670	Frozen Fruits	2,550	Salinas, Calif.	Oklahoma City, Okla.
9-17-58	4681	Frozen Berries	6,400	San Jose, Calif.	Kansas City, Kan.
8-26-58	4604	Frzn Vege&Berr	12,328 *	San Jose, Calif.	Smith Center, Kan.

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DATE	PRO	COMMODITY	WEIGHT		ORIGIN	DESTINATION
10-18-58	4769	Frzn Vegetables	35,670		Santa Maria, Calif.	Dardanelle, Ark.
9-8-58	4658	Frozen Fruits	40,380		Sanger, Calif.	Kansas City, Kan.
9-8-58	4649	Frozen Fruits	46,002		Sanger, Calif.	Kansas City, Kan.
9-13-58	4669	Frozen Fruits	45,968		Sanger, Calif.	Kansas City, Kan.
9-16-58	4676	Frozen Fruits	1,740		Sanger, Calif.	Kansas City, Kan.
9-5-58	4638	Frozen Fruits	5,300	*	Sanger, Calif.	Lawrence, Kan.
9-8-58	4568	Frozen Fruits	40,380		Sanger, Calif.	Topeka, Kan.*
8-16-58	4581	Frozen Fruits	6,322		Sanger, Calif.	Kansas City, Mo.
8-16-58	4581	Frzn Fru&Berr.	31,832	*	Sanger, Calif.	Kansas City, Mo.
8-26-58	4604	Frzn Fruits&Veg	15,733	*	Sanger, Calif.	Kansas City, Mo.
8-26-58	4604	Frozen Fruit	2,900		Sanger, Calif.	Kansas City, Mo.
9-5-58	4638	Frzn Fruits&Veg	30,230		Sanger, Calif.	Kansas City, Mo.
9-16-58	4676	Frzn Fruits&Veg	31,605	*	Sanger, Calif.	Kansas City, Mo.
9-22-58	4692	Frozen Fruit	32,000		Sanger, Calif.	Kansas City, Mo.
10-7-58	3501	Frozen Fruit	3,200		Sanger, Calif.	Kansas City, Mo.
10-8-58	4721	Frozen Fruit	1,860		Sanger, Calif.	Kansas City, Mo.
10-8-58	4721	Frzn Fruits&Veg	24,600	*	Sanger, Calif.	Kansas City, Mo.
10-15-58	4759	Frzn Fruits&Veg	41,676	*	Sanger, Calif.	Kansas City, Mo.
9-8-58	4658	Frozen Fruits	40,380		Sanger, Calif.	Omaha, Nebr. *
10-9-57	3517	Frozen Fruits	1,680		Sanger, Calif.	Okla. City, Okla.
9-30-58	4712	Frzn Veg&Berr	5,975		Watsonville, Calif.	Meade, Kan.
10-11-58	4756	Frozen Berries	31,480		Watsonville, Calif.	Pittsburg, Kan.
8-9-58	4552	Frzn Vegetables	9,073		Watsonville, Calif.	Topeka, Kan.
9-30-58	4712	Frzn Fruits&Veg	7,834		Watsonville, Calif.	Wichita, Kan.
8-16-58	4581	Frzn Fruits&Berr	31,832	*	Watsonville, Calif.	Kansas City, Mo.
8-26-58	4604	Frzn Fruits&Veg	15,733	*	Watsonville, Calif.	Kansas City, Mo.
9-4-58	4635	Frzn Vegetables	37,499		Watsonville, Calif.	Kansas City, Mo.
9-16-58	4676	Frzn Fruits&Veg	31,605	*	Watsonville, Calif.	Kansas City, Mo.

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DATE	PRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
9-17-58	4681	Fran Vegetables	33,755	Watsonville, Calif.	Kansas City, Mo.
10-7-58	4731	Fran VegetsBerr	40,724	Watsonville, Calif.	Kansas City, Mo.
10-15-58	4759	Fran FruitsVeg	41,676 *	Watsonville, Calif.	Kansas City, Mo.
8-28-58	4612	Frozen Fruits	3,000	Watsonville, Calif.	Okla. City, Okla.
8-28-58	4612	Fran VegetsBerr	4,113	Watsonville, Calif.	Okla. City, Okla.
9-13-58	4670	Fran VegetsBerr	3,180	Watsonville, Calif.	Okla. City, Okla.
9-15-58	4672	Fran FruitsBerr	2,673	Watsonville, Calif.	Okla. City, Okla.
9-15-58	4672	Frozen Fruits	1,280	Watsonville, Calif.	Okla. City, Okla.
9-30-58	4712	Frozen Berries	3,600	Watsonville, Calif.	Okla. City, Okla.
10-3-58	4725	Frozen Berries	7,060	Watsonville, Calif.	Okla. City, Okla.
10-11-58	4756	Fran VegetsFruits	2,125	Watsonville, Calif.	Okla. City, Okla.
10-11-58	4756	Frozen Berries	7,700	Watsonville, Calif.	Okla. City, Okla.
8-28-58	4612	Fran Vegetables	4,953	Watsonville, Calif.	Tulsa, Okla.
9-30-58	4712	Fran Vegetables	7,558	Watsonville, Calif.	Tulsa, Okla.
8-16-58	4583	Fran Vegetables	34,112	Denver, Colorado	Tulsa, Okla.
9-30-58	4714	Fran Vegetables	34,871	Burley, Idaho	Kansas City, Kan.*
9-30-58	4714	Fran Vegetables	34,871	Burley, Idaho	Pittsburg, Kan.*
9-30-58	4714	Fran Vegetables	34,871	Burley, Idaho	Omaha, Nebr.*
9-19-58	4270	Fran Vegetables	8,386	Caldwell, Idaho	Kansas City, Mo.
8-18-58	4571	Fran Vegetables	35,850	Caldwell, Idaho	St. Louis, Mo.
9-18-58	4423	Fran Vegetables	32,000	Caldwell, Idaho	Lincoln, Neb.
10-11-58	4749	Fran Vegetables	8,000	Caldwell, Idaho	Okla. City, Okla.
10-11-58	4754	Fran Vegetables	36,513	Idaho Falls, Idaho	Ft. Smith, Ark.
9-10-58	4627	Fran Vegetables	10,065	Kansas City, Kansas	Carthage, Mo.
10-1-58	4715	Fran Vegetables		Kansas City, Kansas	Tulsa, Okla.
8-14-58	4559	Fran FrutsBerries	30,184 *	Benton Harbor, Mich.	Kansas City, Mo.

[fol. 60]

ATTACHMENT 3
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DATE	PRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
9-18-58	4667	Fran Fruit	8,000	Frankfort, Mich.	Wichita, Kan.
8-25-58	4586	Fran FruitBerr	33,896	Lawrence, Mich.	Kansas City, Mo.
9-10-58	4660	Fran FruitBerr	34,256	Lawrence, Mich.	Kansas City, Mo.
9-20-58	4693	Fran Fruits	15,000 *	Lawrence, Mich.	Kansas City, Mo.
9-18-58	4667	Fran Fruits	23,935	Traverse City, Mich.	Hutchinson, Kan.*
9-20-58	4673	Fran Fruits	16,000	Traverse City, Mich.	Smith Center, Kan.
9-18-58	4667	Fran Fruits	23,935	Traverse City, Mich.	Wichita, Kan.*
8-14-58	4559	Fran FruitBerr	30,184 *	Traverse City, Mich.	Kansas City, Mo.
9-20-58	4693	Fran Fruits	15,000 *	Traverse City, Mich.	Kansas City, Mo.
9-27-58	4707	Fran Fruits	30,293	Traverse City, Mich.	Kansas City, Mo.
10-15-58	4727A	Fran Fruits	32,060	Traverse City, Mich.	Kansas City, Mo.
10-26-58	798A	Fran Vegetables	17,162	Fairmont, Minn.	Little Rock, Ark.
8-12-58	4565	Fran Vegetables	30,996	Fairmont, Minn.	Kansas City, Mo.
8-30-58	4644	Fran Vegetables	32,870	Fairmont, Minn.	Kansas City, Mo.
9-27-57	3472	Fran Vegetables	31,022	Fairmont, Minn.	Kansas City, Mo.
10-3-58	4733	Fran Vegetables	31,350	Fairmont, Minn.	Kansas City, Mo.
10-21-58	4782	Fran Vegetables	22,250	Fairmont, Minn.	Kansas City, Mo.
9-4-58	4661	Fran Vegetables	35,910	Fairmont, Minn.	Fayetteville, Ark.
9-5-58	4645	Fran Vegetables	35,910	Fairmont, Minn.	Fayetteville, Ark.
9-5-58	4642	Fran Vegetables	35,910	Fairmont, Minn.	Fayetteville, Ark.
9-5-58	4638	Fran Vegetables	35,910	Fairmont, Minn.	Fayetteville, Ark.
9-5-58	4639	Fran Vegetables	35,910	Fairmont, Minn.	Fayetteville, Ark.
9-5-58	4640	Fran Vegetables	35,910	Fairmont, Minn.	Fayetteville, Ark.
9-8-58	4649	Fran Vegetables	35,454	Fairmont, Minn.	Fayetteville, Ark.
9-8-58	4664	Fran Vegetables	35,454	Fairmont, Minn.	Fayetteville, Ark.
9-10-58	4679	Fran Vegetables	35,283	Fairmont, Minn.	Fayetteville, Ark.
9-10-58	4651	Fran Vegetables	35,454	Fairmont, Minn.	Fayetteville, Ark.

ATTACHMENT 3
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DATE	PRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
9-11-58	4680	Fran Vegetables	35,454	Fairmont, Minn.	Fayetteville, Ark.
9-13-58	4690	Fran Vegetables	35,682	Fairmont, Minn.	Fayetteville, Ark.
10-20-58	4788	Fran Vegetables	35,100	Fairmont, Minn.	Fayetteville, Ark.
10-24-58	4810	Fran Vegetables	35,100	Fairmont, Minn.	Fayetteville, Ark.
10-24-58	4813	Fran Vegetables	31,980	Fairmont, Minn.	Fayetteville, Ark.
10-24-58	4802	Fran Vegetables	33,020	Fairmont, Minn.	Fayetteville, Ark.
10-24-58	4816	Fran Vegetables	31,980	Fairmont, Minn.	Fayetteville, Ark.
10-27-58	4830	Fran Vegetables	37,908	Fairmont, Minn.	Fayetteville, Ark.
10-27-58	4808	Fran Vegetables	37,960	Fairmont, Minn.	Fayetteville, Ark.
10-27-58	4831	Fran Vegetables	37,960	Fairmont, Minn.	Fayetteville, Ark.
10-17-58	4749	Fran Vegetables	3,901	Ontario, Ore.	Smith Center, Kan.
8-12-58	4547	Fran Vegetables	3,200	Ontario, Ore.	Kansas City, Mo.
8-13-58	4562	Fran Vegetables	4,000	Ontario, Ore.	Kansas City, Mo.
8-29-58	4605	Fran Vegetables	3,200	Ontario, Ore.	Kansas City, Mo.
9-2-58	4621	Fran Vegetables	10,000	Ontario, Ore.	Kansas City, Mo.
9-26-58	4701	Fran Vegetables	36,000	Ontario, Ore.	Kansas City, Mo.
10-22-58	4786	Fran Berr&Vege	1,324 *	Ontario, Ore.	Kansas City, Mo.
10-11-58	4749	Fran Vegetables	2,585	Ontario, Ore.	Tulsa, Okla.
9-16-58	4692	Fran Berr&Fru	35,264	Portland, Ore.	Kansas City, Mo.*
9-16-58	4692	Fran Berr&Fru	35,264	Portland, Ore.	St. Louis, Mo.*
10-2-58	4688	Fran Vegetables	9,015	Portland, Ore.	Oklahoma City,Okla.
10-12-58	4688	Fran Berries	11,200	Portland, Ore.	Oklahoma City,Okla.
10-13-58	4751	Fran Vegetables	2,795	Portland, Ore.	Oklahoma City,Okla.
9-18-58	4673	Fran FruitBerr	4,280	Salem, Ore.	Topeka, Kan.
8-12-58	4547	Fran Berries	1,500	Salem, Ore.	Kansas City, Mo.
8-12-58	4547	Fran FruitBerr	24,675	Salem, Ore.	Kansas City, Mo.
9-18-58	4673	Fran Berries	600	Salem, Ore.	Kansas City, Mo.

[fol. 62]

ATTACHMENT 3
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DATE	PRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
9-18-58	4673	Frzn FruitBerr	15,600	Salem, Ore.	Kansas City, Mo.
8-29-58	4605	Frzn VegetBerr	17,325	Salem, Ore.	Kansas City, Mo.
10-22-58	4786	Frzn VegetBerr	1,324 *	Salem, Ore.	Kansas City, Mo.
10-22-58	4786	Frzn Berries	900	Salem, Ore.	St. Joseph, Mo.
10-2-58	4688	Frzn Fruit	3,200	Salem, Ore.	Oklahoma City,Okla.
9-8-58	4650	Frzn Berries	32,040	Salem, Ore.	Spokane, Wash.
10-13-58	4751	Frzn Berries	11,232	Sherwood, Ore.	Kansas City, Mo.
10-13-58	4751	Frzn Berries	15,456	Tigard, Ore.	Oklahoma City,Okla.
8-18-58	4572	Frzn VegetBerr	37,500 *	Arlington, Wash.	Wichita, Kan. *
8-18-58	4572	Frzn VegetBerr	37,500 *	Arlington, Wash.	Oklahoma City,Okla.*
8-20-58	4584	Frzn FruitVege	12,140	Auburn, Wash.	Meade, Kan.
8-19-58	4576	Frzn Berries	1,500	Everett, Wash.	Kansas City, Mo.
8-19-58	4576	Frzn FruitVege	1,800	Kent, Wash.	Smith Center, Kan.
9-18-58	4673	Frzn Vegetables	3,192	Kent, Wash.	Smith Center, Kan.
8-29-58	4605	Frzn Berries	7,590	Snohomish, Wash.	Kansas City, Mo.
10-13-58	4751	Frzn Vegetables	5,530	Stanwood, Wash.	Oklahoma City,Okla.
8-19-58	4576	FrznFru,Berr&Veg	32,418	Tacoma, Wash.	Columbia, Mo. *
8-19-58	4576	FrznFru,Berr&Veg	32,418	Tacoma, Wash.	Kansas City, Mo.*
8-18-58	4572	Frzn VegetBerr	37,500 *	Tacoma, Wash.	Oklahoma City,Okla.*

[fol. 63]

Form BOR 1 (49 CFR 7.1)

INSTRUCTIONS

If applicant was engaged in the interstate or foreign transportation of the specified commodities on *May 1, 1950, and continuously since*, he should use Form BOR 1. If applicant instituted his operations *after May 1, 1950*, but on or before August 13, 1950, he should use Form BOR 2.

Applications on Forms BOR 1 and BOR 2 must be mailed so as to reach the Interstate Commerce Commission, Washington 25, D. C., on or before December 10, 1950, in order that the transportation for which authority is sought may be continued lawfully after that date and until the application has been decided.

It is recommended that the Interstate Commerce Commission's Information Bulletin No. 1, Motor Transportation of Commodities Formerly Exempt From Economic Regulation, be read before the application is filled out.

If the space provided in the form is not sufficient, prepare the answer, or continue it on a separate sheet, attach it to the application, and give it the same number as the paragraph to which it refers. The application should be typed, but if made out in neat handwriting in ink, it will be accepted; if made out in pencil, it will be rejected. The applicant should keep a copy for future reference. The application should be mailed to:

INTERSTATE COMMERCE COMMISSION
WASHINGTON 25, D. C.

A copy of the application should be mailed to the District Director of the Commission's Bureau of Motor Carriers for the district in which the applicant has his headquarters. The names of the District Directors, the States in their districts, and their addresses are as follows:

Name of District Director	*Address*	*States*
George R. Nunum	14-17 Court Square Boston, Mass.	Maine Massachusetts New Hampshire Rhode Island Vermont
Thomas L. McClelland	Room 1111, 346 Broadway New York 13, N. Y.	Connecticut New Jersey New York
Theodore G. Reynolds	900 U. S. Custom House Bldg. Philadelphia 6, Pa.	Delaware District of Columbia Eastern Pennsylvania Maryland Virginia
Roy M. Snetzer	236 New Post Office Bldg. Columbus 15, Ohio	Ohio West Virginia Western Pennsylvania
William Addams	900 W. Peachtree St. N. W. Atlanta 8, Ga.	Alabama Florida Georgia North Carolina South Carolina
Edward A. Moynihan	801 Broadway Nashville 3, Tenn.	Kentucky Mississippi Tennessee
Harry P. Raymond	858 U. S. Custom House Bldg. Chicago 7, Ill.	Illinois Indiana Michigan
William E. Huckleby	428 Metropolitan Bldg. Minneapolis 1, Minn.	Minnesota North Dakota South Dakota Wisconsin
H. Joseph Simmons	1100 Federal Office Bldg. Kansas City 6, Mo.	Iowa Kansas Missouri Nebraska
Bernard H. English	816 Texas & Pacific Bldg. Fort Worth 2, Tex.	Arkansas Louisiana Oklahoma Texas
Bert L. Penn	502 Denham Bldg. Denver 2, Colo.	Colorado Montana New Mexico Utah Wyoming
Frank E. Landsburg	538 Pittock Block, Portland 5, Oreg.	Idaho Oregon Washington
Dean F. Noble	602 Sheldon Bldg. San Francisco 5, Calif.	Arizona California Nevada

A copy must also be mailed to the State Public Utilities Commission or other State Board of each State in and through which the operations described in the application were and are to be performed. The names and addresses of the State Boards, if not known, may be obtained from a District Supervisor of the Interstate Commerce Commission's Bureau of Motor Carriers.

Applicant should only apply for rights to authorize the continuance of transportation which applicant performed as a motor carrier for hire where he dealt directly with the shipper. Applicant should not base the application upon any service which was performed as an owner-operator for another carrier which dealt directly with and was paid by the shipper or consignee for the transportation.

Assistance in the preparation of an application may be had from one of the District Supervisors of the Interstate Commerce Commission's Bureau of Motor Carriers. Before requesting assistance, however, applicant should prepare a rough draft of the application to be used as a basis for the District Supervisor's suggestions. In view of the fact that the District Supervisor's duties frequently call him away from his office, interviews for this purpose should be arranged in advance. A list of the offices at which there are District Supervisors is contained in the Information Bulletin referred to.

U. S. GOVERNMENT PRINTING OFFICE 16-0-47926

[fol. 65]

BEFORE THE INTERSTATE COMMERCE COMMISSION

Docket No. MC 117119

(Sub No. 2)

In the Matter of:

WILLIS SHAW FROZEN EXPRESS, INC., ELM SPRINGS, ARKANSAS, COMMON CARRIER, IRREGULAR ROUTES

Transcript of Hearing—October 24, 1960

East Room,
Baker Hotel,
Dallas, Texas

Met, pursuant to notice, at 9:30 a.m.

Before:

William J. Cave, Examiner.

APPEARANCES:

John H. Joyce, 26 North College Street, Fayetteville, Arkansas, appearing for Applicant.

Charles L. Ford, Jr., Post Office Box 717, Austin 64, Texas, appearing for the Major Rail Lines operating in Texas, for convenience as The Texas Railroad Association; New York Central Railroad, Louisville & Nashville Railroad, Boston & Maine Railroad, New Haven Railroad, Chicago Rock Island & Pacific Railroad, and Class I Rail Carriers in Western District, Protestants.

Earl J. Brooks, 1417 Clay Street, Oakland, California, appearing for Pacific Intermountain Express Company, Protestant.

Hugh T. Matthews, 2130 Fidelity Union Tower, Dallas, Texas, appearing for Gillette Motor Transport, Inc., and Western Truck Lines, Ltd., Protestants.

[fol. 67] Proceedings

COLLOQUY BETWEEN EXAMINER AND COUNSEL

Exam. Cave: The Interstate Commerce Commission has set for hearing at this time and place Application No. MC 117119, Sub. No. 2, filed December 5, 1958, by Willis Shaw Frozen Express, Incorporated, of Elm Springs, Arkansas, for authority under Section 7 of the Transportation Act of 1958 to continue to operate as common carrier, by motor vehicle, of frozen fruits, frozen berries and frozen vegetables from and to points in the numerous states which are set forth in the application, over irregular routes.

Who appears for the Applicant in this proceeding?

Mr. Joyce: John H. Joyce, 26 North College, Fayetteville, Arkansas. I am an attorney and admitted to practice before this Commission. I appear for the Applicant.

Exam. Cave: Protestants?

Mr. Ford: Charles L. Ford, Jr., Post Office Box 717, Austin 64, Texas. I am an attorney and authorized and licensed to practice before the Commission. I am appearing for the following rail protestants: one, the Major Rail Lines Operating in Texas, for convenience as The Texas Railroad Association; two, the New York Central Railroad; three, Louisville & Nashville Railroad; four, Boston & Maine Railroad; five, New Haven Railroad; six, Chicago Rock Island & Pacific Railroad; and seven, Class I Rail Carriers in Western District.

Mr. Brooks: Earl J. Brooks, 1417 Clay Street, Oakland, [fol. 68] California, appearing on behalf of Pacific Intermountain Express Company, Protestant. Timely notice was filed with copy to counsel for the Applicant. I am admitted to practice before the Commission.

Mr. Matthews: Hugh T. Matthews, 2130 Fidelity Union Tower, Dallas, Texas. I am an attorney and admitted to practice before the Commission. I am representing Gillette Motor Transport, Inc., and Western Truck Lines, Limited.

Exam. Cave: You may proceed, Mr. Joyce.

Mr. Joyce: Thank you, sir.

Mr. Examiner, I first want to call attention to the fact that in the reading of the docket here the Examiner refers to frozen fruits, berries and vegetables. I want to spe-

cifically call attention to the application filed in this case in which not only in addition to the items just named there was also shown on the application frozen poultry, frozen poultry parts, frozen fish, frozen seafoods, including fish or seafood pies, meals and dinners, in straight and mixed shipments.

Mr. Brooks: If the Examiner please I would like to call attention to the fact that the Federal Register publication did not reflect the additional commodities as stated by counsel for the Applicant, and it would seem it would be necessary that we follow the publication in the Federal Register inasmuch as Applicant did have notice as to what the Commission interpreted as to its application, and it had [fol. 69] sufficient time to correct any publication in the Federal Register if such publication was in error. It would seem in the absence of correction in the Federal Register it would be necessary to proceed on the basis as published in the Federal Register.

Exam. Cave: Was this called to the attention of the Commission?

Mr. Joyce: Was it, Mr. Shaw, when this was docketed?

Mr. Willis Shaw: I don't take the Federal Register and I didn't know how they published it.

Mr. Joyce: I am referring here to the copy of the application, my copy, which was filed and the items I named are shown in the application.

Now, if the Commission itself inadvertently failed to mention those I take the position that is not the fault of the Applicant because they were on the application, and we are ready to proceed not only as to the states in the application but as to the commodities named in the application.

Mr. Brooks: I would like to state, Mr. Examiner, that the Commission as well as the courts have held that the burden is upon applicant to correct any error if any in publications in the Federal Register. The Applicant certainly should have made the correction when it was improperly published, if it was improperly published.

Exam. Cave: In view of the decisions of the Commission, I don't think it would be appropriate to permit an amendment of the application.

[fol. 70] Mr. Joyce: I am not amending the application. I am ready to proceed on the basis of the application as filed.

Exam. Cave: I mean as published in the Federal Register.

Mr. Matthews: May I raise this question, Mr. Examiner. Is there any contention as between the parties as to what appears in the Federal Register, or do we agree on that?

Mr. Joyce: I know what appears in the Federal Register and I know what appears in the application. I know of many cases where the Commission has made mistakes and they have not been discovered until the time of hearing, and we are relying on our application here.

Exam. Cave: Of course, the scope of the application as published in the Federal Register is the only notice that protestants would have.

Mr. Joyce: Of course, I don't have with me now the actual notice as it appeared in the Federal Register, but I do have with me the entry where this case was called on a docket call here in Dallas some two or three months ago.

Mr. Matthews: I could get the Federal Register in about five minutes. I didn't bring it with me.

Exam. Cave: Well, what I have here, of course, was published in the Federal Register. In fact what I have here is what the docket was called from.

Mr. Joyce: That's all I have here with me, too.

[fol. 71] Mr. Willis Shaw: We brought this up at Dallas with Mr. Cheseldine at that time, and I just presumed that something would be done about it, but we just supposed that that was just more or less—I never much thought about it that we could be held to just those items. I mentioned it to Mr. Lane at Dallas and he mentioned it to Mr. Cheseldine there. Now, if there was anything done I don't know.

Mr. Joyce: I don't think there is any secret or any commodity involved in which protestants whoever they may have been did not receive notice because they would be protesting whatever appears on the application and if they are protesting on frozen fruits, berries and vegetables then as well as poultry or fish they have had notice of this hearing and they would have been here. I'm merely pointing out for the record—

Exam. Cave: Off the record.

(Discussion off the record.)

Exam. Cave: Back on the record.

Mr. Joyce: I would like to make a statement in connection with the application itself and the commodities involved. Now, the application points out that frozen fruits, berries and frozen vegetables were transported by the Applicant on May 1, 1958. In addition to those items frozen poultry, frozen poultry parts, frozen fish, frozen seafoods, including seafood pies, meals and dinners, were also transported in mixed shipments and the exhibits to be introduced today will show mixing of the last mentioned [fol. 72] items together with frozen fruits, frozen berries and frozen vegetables as well as straight shipments.

Mr. Brooks: Did I understand, Mr. Joyce, you indicated that is what the application showed that moved in mixed shipment or is that what the applicant will show?

Mr. Joyce: That is what I say the exhibits in the testimony offered today will show that mixed shipments of frozen fruits, frozen berries and vegetables as well as the poultry and fish will move in mixed and straight shipments.

Mr. Matthews: I would like to make the position of Western and Gillette clear here. It will be our position in this proceeding that the Commission has no jurisdiction under Section 7 of the Transportation Act of 1958 to issue any authority for transportation of formerly exempt commodities with presently exempt commodities. That is the position we have taken in all of the grandfather applications we have been in.

In addition to that I don't think there has been proper notice of the applicant to haul such mixed loads. Consequently we don't intend to continue to make objection but that will be our position in the case.

Exam. Cave: Is that your position, Mr. Brooks?

Mr. Brooks: That is my position only to the extent of lack of proper notice. It is not my position that formerly exempt commodities may not move in mixed loads of com- [fol. 73] modities that continue to be exempt providing proper application and publication procedure is followed.

Exam. Cave: Do you have a statement to make, Mr. Ford?

Mr. Ford: My statement is exactly the same as Mr. Matthews'.

Exam. Cave: All right. Well, I am going to permit the applicant to put into evidence his exhibits showing how the commodities moved, whether they moved with certain so-called exempt commodities, if that's the way they moved I am going to permit him to put it in.

You may proceed.

Mr. Joyce: Thank you, sir.

WILLIS D. SHAW was sworn and testified as follows:

Direct examination.

By Mr. Joyce:

Q. For the record, will you state your name, please.

A. Willis D. Shaw.

Q. Mr. Shaw, are you president of Willis Shaw Frozen Express, Inc., the applicant in the instant application?

A. Yes, sir.

Q. And where do you reside?

A. Springdale, Arkansas.

Q. What is the address of your company?

A. Elm Springs, Arkansas.

Mr. Ford: How do you spell that?

[fol. 74] The Witness: E-l-m S-p-r-i-n-g-s.

By Mr. Joyce:

Q. You are the president of the applicant. Did you file an application, a grandfather application, under Section 7 of the Interstate Commerce Act?

A. Yes, sir.

Q. Mr. Shaw, in preparing for this case did you cause to be prepared several exhibits?

A. Yes, sir.

Q. Were those exhibits prepared under your direction and control?

A. Yes, sir, they were.

Mr. Joyce: Mr. Examiner, I would like at this time, in order to save time, to have several exhibits marked for

identification and I will then refer to them later on in the testimony.

Exam. Cave: All right.

Mr. Joyce: Mr. Examiner, I would like to have first marked for identification a four-page document headed on the first page, general history of operation, as Exhibit No. 1.

The next, a one-page document showing a picture of equipment as Exhibit No. 2.

As Exhibit No. 3, a one-page document advertisement of 1954.

As Exhibit No. 4, a one-page document advertisement of 1955.

As Exhibit No. 5, a photograph of equipment used in 1957.

As Exhibit No. 6, a one-page document with printing on [fol. 75] both sides headed interim permit No. MC 115971, issued on October 1, 1957.

Exhibit No. 7 being a one-page document showing transportation taxes paid for various years.

As Exhibit No. 8, an advertisement for 1958. It's a one-page document, showing a list of equipment.

As Exhibit No. 9, list of equipment of the applicant of May 1, 1958.

As Exhibit No. 10, a one-page document being a description of the operating rights in the application both as to commodities and states involved.

As Exhibit No. 11, a Certificate of Public Convenience and Necessity No. MC 117119. There is printing on the back of that exhibit also.

As Exhibit No. 12, an order of the Commission in MC-FC-61586-A, being a transfer of authority.

Exhibit No. 13 is an advertisement used in 1959, a one-page document.

Exhibit No. 14 is a two-page document of Certificate of Public Convenience and Necessity, No. MC 117119 in the name of the applicant.

Exhibit No. 15 is a two-page document being MC 117119, Sub 7TA.

Exhibit No. 16 is a photograph of the equipment now in service in 1960.

[fol. 76] Exhibit No. 17 is a two-page document being an equipment list of tractors as of August 1960.

Exhibit No. 18 is an equipment list of trailers of the applicant as of August 1960.

Exhibit No. 19 is a financial statement of the applicant at August 31, 1960, and it is a three-page document.

Exhibit No. 20 is a five-page document, including the title page, being a list of shipments of frozen fish by applicant.

Exhibit No. 21 is a multipage document broken down into various sections with pages applicable to each section showing shipments of frozen poultry.

And Exhibit No. 22 is a list of shipments, a record of shipments, a multipage document, of 118 pages of frozen fruits, frozen berries, frozen vegetables and frozen fish.

May these exhibits be so identified?

Exam. Cave: They may be so marked.

(Applicant's Exhibits Nos. 1 through 22, Witness Shaw, were marked for identification.)

By Mr. Joyce:

Q. Mr. Shaw, you have in front of you what has been identified as Exhibit No. 1?

A. Yes, sir.

Q. Let me ask you if that was prepared to save time and is a statement covering the general history of the operations of you as an individual and your companies, the com-
[fol. 77] munications, general office and terminal facilities, the equpiment, description of equipment, financial statements, the safety program, tariffs, and insurance?

A. Yes, sir, it is.

Mr. Matthews: May we have just a minute to look at this?

Mr. Joyce: Certainly. Excuse me.

May we go off the record just one second?

Exam. Cave: Yes.

(Short recess.)

Exam. Cave: On the record.

Mr. Brooks: Before proceeding further, since Exhibit No. 1 appears to be a prepared statement I would like to

make comments preparatory to a motion to strike. It seems there are certain statements made that's assuming the prerogative of the Commission as to what transportation has been performed, and I would move to strike starting with the second paragraph on Page 1 starting with the third line, "During this time these commodities were transported from points and places", et cetera, that complete sentence down through "Wisconsin."

Motion to Strike Portions of Exhibit 1 and Denial Thereof

I would move to strike the entire third paragraph on Exhibit No. 1. I move to strike the first sentence of the fourth paragraph of Exhibit No. 1 on Page 1.

I would move to strike the first full paragraph on Page 2 starting with the words, "Since 1948," and continuing through the last of that sentence ending with "rendering [fol. 78] this same type of service," on the basis that it's an unsupported statement by the witness for the applicant and the substance of the statements should be left up to the Commission to determine.

Mr. Joyce: Mr. Examiner, in reply to the comments of counsel, I have stated prior that this statement was prepared merely to save time from questions and answers into the record. All of this can be covered by questions and answers, but to me this was a quick way of the witness testifying to questions which would be answered in the same way.

Mr. Brooks: Mr. Examiner, had the statement or the statements mentioned made reference to the exhibits which applicant proposes to use in support of this application then I would have no objection, but—

Mr. Joyce: Mr. Brooks, I can't do it all at one time. Obviously the statements contained in Exhibit 1 will be supported by later exhibits and underlying documents.

Exam. Cave: Well, I think you should ask the witness, sir, whether these statements in here are based on the abstracts which he will submit in support of the application.

Mr. Joyce: All right, sir.

By Mr. Joyce:

Q. Mr. Shaw, are the statements contained in what has been identified as Exhibit No. 1, are the statements made in there supported in this hearing today by other documents, underlying documents, other exhibits?

A. Yes, sir.

[fol. 79] Exam. Cave: In view of that, I'm going to deny the motion to strike.

By Mr. Joyce:

Q. Mr. Shaw, will you next please refer to what has been identified as Exhibit No. 2. Do you have that?

A. Yes, sir.

Q. Will you state what that is, please?

A. That is a picture of part of our equipment showing the type of it in 1954. On the right-hand side you will notice there is some live poultry trailers and other units which are refrigerated trailers with Thermo-kings, and the tractors are GMC tractors 1952 and 1953, two 1954 GMC's that we used in transporting our fresh fruits, berries and vegetables, frozen fruits, berries and vegetables, live poultry, dressed poultry, ice-packed poultry and fish.

Q. Mr. Shaw, this picture does not include all of the equipment you operate?

A. No, sir.

Q. This is just an example of what type of equipment you operate?

A. Yes, sir.

Q. It's part of the equipment?

A. Yes, sir.

Q. Do you recall approximately how many pieces of equipment you operate at this time?

A. We have approximately 20 complete units.

[fol. 80] Q. Are those both leased and owned?

A. I believe that at this time they were mostly all leased. I mean mostly all owned. There might have been one or two leased tractors at this particular period.

Q. During that time in 1954 and as Exhibit 1 points out your operations were as a partnership under the name of Willis D. Shaw and Ellis Hogan, doing business as Willis Shaw Produce Company?

A. Yes, sir.

Q. And this equipment shown here was owned by Willis Shaw Produce Company?

A. Yes, sir.

Q. Will you please refer to what has been identified as Exhibit No. 3 and state what that is?

A. Exhibit No. 3 is an advertisement in a trade magazine in 1954 of refrigerated transportation.

Q. Is that as it says, is that in the name of Willis Shaw Produce Company?

A. Yes, sir.

Q. Do you recall what trade magazine that this appeared in?

A. Well, it's a frozen foods magazine and poultry and egg magazine.

Q. Do you know if the circulation of that trade magazine embraced the 35 states involved in the instant application?

A. I was led to believe that it did, yes, sir.

[fol. 81] Q. And that's just indicative of the type of advertisements you used in 1954?

A. Yes, sir.

Q. Would you please refer to what has been identified as Exhibit No. 4 and state what that is, please?

A. That is a picture of one of our 1953 GMC tractors, 1953 Trailmobile refrigerated trailer, and it is an advertisement for refrigerated transportation.

Q. Is that in the name as it points out of Willis Shaw Produce Company?

A. Yes, sir.

Q. I notice it says there at this time 1955 you operated 29 refrigerated units, is that correct?

A. Yes, sir.

Q. Do you have before you what has been identified as Exhibit No. 5?

A. Yes, sir.

Q. What is that, please?

A. That is a picture of some of the newer equipment that was purchased in the early part of 1957. They are white Diesel tractors, sleeper cabs, Trailmobile trailers, Transcold refrigeration. This is some of the new ones that was purchased that year, and also a picture of our office.

Q. That's 1957, is that correct?

A. Yes, sir.

[fol. 82] Q. About how many pieces of equipment were you operating in 1957?

A. I couldn't answer. It was in the neighborhood of 30, I believe.

Q. And it was similar to the type shown in Exhibit No. 5?

A. Yes, sir.

Q. Now, you say in the background is a picture of your office?

A. Yes, sir.

Q. Now, that has just been recently built, has it not, or when was it built?

A. That was built in 1957.

Q. It was. Thank you, sir.

Do you have in front of you Exhibit No. 6, what has been identified as Exhibit No. 6 in front of you?

A. Yes, sir.

Q. Would you state what that is, please?

A. Well, that's the authority obtained from, I believe that's—here it is—interim permit No. MC 115971 issued to Willis Shaw and Ellis Hogan, a partnership, doing business as Willis Shaw Produce Company, Elm Springs, Arkansas, issued the 1st day of October, 1957.

Exam. Cave: What bearing does this have?

Mr. Joyce: I will tie it in, sir, because it was transferred.

Exam. Cave: All right.

By Mr. Joyce:

Q. Was this the first authority that you ever held from [fol. 83] the Commission?

A. Yes, sir.

Q. And that at that time was as a contract carrier, was it not?

A. Yes, sir.

Q. Do you have what has been identified as Exhibit No. 7?

A. Yes, sir.

Q. What is that?

A. That is payment of transportation taxes to the U. S. Government—

Mr. Matthews: Just a minute. I hate to interrupt the witness, but I object to testimony going in about this unless we have some sort of underlying documents to support it.

Mr. Joyce: Mr. Examiner, the underlying documents being freight bills and delivery receipts and so on will show a large majority of cases of transportation tax. This is merely a recap for the years involved of the taxes paid.

Mr. Matthews: This is taken from the freight bills?

Mr. Joyce: Let me ask him.

By Mr. Joyce:

Q. The payments shown on Exhibit No. 7, Mr. Shaw, just tell us how those figures were arrived at if they were paid by you.

A. This is a list of the first quarter of '56 to the final payment in July of '58 for those years of transportation tax paid to the United States Government for those quarters by Willis Shaw Produce and Willis Shaw Frozen Express.

[fol. 84] Exam. Cave: Are you objecting to this, sir?

Mr. Matthews: I am not objecting to that statement. I will, of course, cross-examine him on it.

Exam. Cave: All right.

By Mr. Joyce:

Q. Do you have what has been identified as Exhibit No. 8, sir, in front of you?

A. Yes, sir.

Q. What is that, please?

A. That is, on the front is, a picture of a 1957 Kenworth tractor, 1957 Trailmobile refrigerated trailer, and it is an advertisement that we advertised in a frozen food magazine in October 1958.

Q. I notice here it states that at that time you operated approximately 35 units, is that correct?

A. Yes, sir.

Q. That's all a two-man operation, was it?

A. Yes, sir.

Q. As a matter of fact, how long was the operation a two-man operation, your operations?

A. We have been a two-man operation from the start except on short runs where we have a few light equipment.

Q. As far as you know was this published in the states involved in the application?

A. Yes, sir.

Q. That was in trade magazines?

[fol. 85] A. Yes, sir.

Q. Do you have what has been identified as Exhibit No. 9?

A. Yes, sir.

Q. Will you state what that is, please?

A. That is an equipment list of the Willis Shaw Frozen Express as of May 1, 1958, of tractors and trailers.

Q. Now, just for the record I notice on my copy that the top page being tractors is shown as Page 2 and the underneath page being the trailers as Page 1. I suppose they are just put together wrong. Actually it's just a two-page document of your tractors and trailers?

A. Yes, sir, that is right.

Q. At that time will you state how many were owned by your company and how many were leased?

A. I believe that at that time we had five leased tractors and five leased trailers and the rest of them was all owned by Willis Shaw Frozen Express.

Q. Do you have Exhibit No. 10 in front of you, and if you do state what it is, please?

A. That is the operating rights of BOR 1 application of Willis Shaw Frozen Express, Inc., filed December 5, 1958, over irregular routes of frozen vegetables, frozen fruits, frozen berries, frozen poultry and poultry parts, frozen fish and seafood, including fish or seafood pies, meals and dinners.

Q. Does it also state the states and areas involved which [fol. 86] were named in the application?

A. Yes, sir, it does.

Q. That's just simply a recap of the application showing areas?

A. Yes, sir.

Mr. Brooks: I object to that. It doesn't reflect what the application says. The application says from points in certain states to points in certain states whereas Exhibit 10 shows between points and places in the states.

Exam. Cave: I don't know whether we are talking about the same application or not. What application are you referring to? Are you referring to the grandfather application?

Mr. Joyce: Yes, sir, BOR 1.

Exam. Cave: Well, I think Mr. Brooks is right. The description here is not the same as in the application.

Mr. Joyce: In what respect?

Exam. Cave: The grandfather application reads from points in a number of states to points in a number of states.

Mr. Joyce: The application Section 4 says the applicant obtained the volume of traffic at and transported it to and the same 35 states are named. All that is is a recap of the states involved as well as commodities.

Mr. Matthews: Mr. Examiner, I was going to object to this thing at a later time. I wonder if we couldn't agree for the Commission to take official knowledge of the application as it stands in the docket rather than this characterization.

[fol. 87] Mr. Ford: I join in that statement of Mr. Matthews. I think this has no part as an exhibit here when the application is there a part of the docket and is there for the consideration by the Commission.

Exam. Cave: Well, I don't know the purpose. It's not, Mr. Joyce, the same description as appeared in the Federal Register because the word between does not appear. Between would be a cross haul between every state named in this Exhibit 10, and that is not what's stated in the application; at least that is not what's published in the Federal Register.

Mr. Joyce: Well, I offer it for what it's worth.

Mr. Matthews: We will object to it at the proper time.

Exam. Cave: It hasn't been offered yet.

By Mr. Joyce:

Q. Do you have Exhibit No. 11 before you, and if so state what it is, Mr. Shaw.

A. That is a Certificate of Public Convenience and Necessity MC 117119, Willis Shaw and Ellis Hogan, a partnership, doing business as Willis Shaw Produce Company, Elm Springs, Arkansas, issued the 2nd day of June, 1958.

Q. Let me take this exhibit in with Exhibit No. 6, Mr. Shaw. Exhibit No. 6 was the interim permit issued as a contract carrier, correct?

A. Yes, sir.

Q. Now, Exhibit No. 11 is a certificate as a common carrier?

A. Yes, sir.

[fol. 88] Q. Are the same commodities shown in Exhibit No. 6 to the same points, is that correct?

A. Yes, sir.

Q. It's merely a certificate rather than a permit?

A. Yes, sir.

Q. And are you presently operating under that certificate?

A. Yes, sir.

Q. Do you have Exhibit No. 12 in front of you, and if so, state what that is.

A. That is an order from the Commission on the 23rd day of October, 1958, in MC-FC 61586-A.

Q. Now, then, what is that?

A. That is a transfer, purchase transfer from Willis Shaw and Ellis Hogan, a partnership, doing business as Willis Shaw Produce Company to Willis Shaw Frozen Express, Inc., Elm Springs, Arkansas.

Q. Now, from that date has the partnership ceased to exist?

A. Yes, sir.

Q. And from that date your operations have been as Willis Shaw Frozen Express, Inc.?

A. Yes, sir.

Q. What is Exhibit No. 13, sir?

A. That is advertising in Quick Frozen Foods and another national magazine in May 1959 showing a picture of our equipment and the states that we operate in.

[fol. 89] Q. I notice it says that you have approximately 40 units, is that correct, at that time?

A. Yes, sir.

Q. What is Exhibit No. 14?

A. That is our final order in MC 117119, Willis Shaw Frozen Express, Inc., Elm Springs, Arkansas, Certificate of Public Convenience and Necessity.

Q. Now, this exhibit directly is a result of both Exhibits 6 and Exhibit 12, is that correct?

A. Yes, sir.

Q. Are you presently operating now under this certificate?

A. Yes, I am.

Exam. Cave: Does Exhibit 14 describe all of your operating authority?

Mr. Joyce: I am coming to that with the next one.

Exam. Cave: All right.

By Mr. Joyce:

Q. Now, sir, will you state what Exhibit 15 is.

A. That is an order in MC 117119, Sub 7TA, issued January 21, 1960, to Willis Shaw Frozen Express, Inc., for temporary authority to haul fresh and frozen poultry and frozen foods, in straight or mixed and pool truck shipments, over irregular routes.

Q. And the origins and destinations are shown thereon?

A. Yes, sir.

Q. That was as shown on Page 2 extended indefinitely [fol. 90] beyond 180 days, was it not?

A. Yes, sir.

Q. And are you presently operating under this authority?

A. Yes.

Q. There has been no hearing date set on the permanent application that corresponds with this, has there?

A. No, sir.

Q. What is Exhibit 16?

A. That is a picture of our equipment that we are now using. It's a Kenworth tractor, sleeper cab, twin screw with a Trailmobile trailer, 40-foot, with Transcold unit, 220 Transcold capable of holding zero or below temperature.

Q. Is this equipment identified in this picture, is all of your equipment you are presently operating like this?

A. No, sir. There is a few on Exhibit 17.

Q. Let me take Exhibit 17 and I will refer back to it. This is a picture of the type of equipment which you now operate, Exhibit No. 16 is?

A. Yes, sir.

Q. Now, then, what is Exhibit No. 17 then?

A. Exhibit No. 17 is an equipment list of tractors, unit number designated by "O" is equipment owned by Willis Shaw Frozen Express, and the equipment designated by "L" is equipment leased on long term. The first eleven pieces, I believe, here is used on short hauls and from there down is tandem sleeper cabs and refrigerated trailers [fol. 91] similar to Exhibit 16.

Q. Now, then, in identifying this exhibit I believe I stated that it was as of August 1960. Have there been any changes since this exhibit was prepared in the equipment?

A. Yes, sir, we had three new Mack tractors, 1960 models, that is not on here.

Q. There is three more tractors that have been added since this exhibit was prepared?

A. Yes, sir.

Q. All right, sir, what is Exhibit No. 18?

A. Exhibit No. 18 is an equipment list as of August 1960 of Willis Shaw Frozen Express trailers showing the unit number, year, make, name of refrigeration unit, model and the type of axle, and as in Exhibit 17 the "L" designates the leased equipment and the "O" designates owned equipment.

Q. I would like to ask you a question in connection with Exhibit No. 18, Mr. Shaw. First has there been any change in any of this, any additions of equipment not shown?

A. There is one trailer not shown here is all.

Q. One trailer has been purchased since the exhibit was prepared, is that right?

A. No, not purchased. It's leased.

Q. One other question on this exhibit. What type of refrigeration, that is, insulation—I am sorry—do you have?

A. They are all equipped with four to six inches of [fol. 92] insulation except for the first five trailers. They all have plastic lining, cross air flow ventilated type of floor,

and strip sides capable of hauling commodities at zero or below temperature, and the first four up there are Thermokings and they have plywood siding. They are aluminum floors and they are stripped and they are capable of holding zero or below temperature.

Q. What, sir, is Exhibit No. 19?

A. That is the financial statement as of August 31, 1960, of Willis Shaw Frozen Express, Inc., showing the balance sheet and profit and loss statement.

Q. Are the amounts shown in there true and correct and adopted by you as president of the corporation?

A. Yes, sir.

Q. All right, sir, what is Exhibit No. 20?

Mr. Matthews: Perhaps this would be a good time to stop and look at the underlying documents.

Mr. Joyce: All right. I was just going to put them in and then take the time.

Exam. Cave: Let me finish identifying the exhibits by having the witness tell us what they are before we examine them.

Mr. Matthews: You don't intend to do anything further than identify them?

Mr. Joyce: No.

Mr. Matthews: Then I have no objection to identification [fol. 93] of them.

Mr. Joyce: That is all I am going to do at this point.

Exam. Cave: Go ahead and have him identify the rest of them.

By Mr. Joyce:

Q. What is Exhibit No. 20, Mr. Shaw?

A. That is a list of frozen fish that Willis Shaw Frozen Express hauled I believe from January '56 to 9-24-60. This is a representative list. They won't all be in here. This is a representative list.

Q. Now, sir, what is Exhibit No. 21?

A. Exhibit 21 is a record of shipments of frozen poultry hauled by Willis Shaw Frozen Express from the period of February the 11th, '56, I believe, to the period of 8-23-1960.

Q. So that this exhibit may be understood, Mr. Shaw,

look at page—well, the second page shows Section 1, doesn't it?

A. Yes, sir.

Q. Then on the next page it states this is frozen poultry. It's listed in date order according to point of origin?

A. Yes, sir.

Q. I want you to explain, in other words, there are other sections in this exhibit, are there not, which—some are shown according to destination rather than date order according to point of origin, is that right?

A. Yes, sir.

Mr. Ford: I don't understand what you are saying.

[fol. 94] Mr. Joyce: All right. Let's go off the record. May we?

Exam. Cave: Yes, off the record.

(Discussion off the record.)

Exam. Cave: On the record.

By Mr. Joyce:

Q. What is Exhibit No. 22?

A. Exhibit No. 22 is a record of shipments of frozen fruits, frozen berries, frozen vegetables and frozen fish. This is an abstract of shipments from the 5th and 3rd of '54 to 10th and 19th, 1960.

Q. Are you through?

A. Yes, sir.

Q. Now, Mr. Shaw, in connection with all of the exhibits that have been identified by number which refer to shipments do you have in the hearing room the underlying documents being freight bills, delivery receipts, bills of lading, et cetera, to substantiate the shipments so the protestants may look at any document covering any shipment referred to in Exhibits 20, 21 and 22?

A. Yes, sir.

Q. Now, then, to facilitate inspection of those documents are they arranged in a certain way and do you have also in the hearing room two of your employees which will aid in the examination of those documents?

A. Yes, sir, I do.

Q. Are they arranged in a certain order so it will be easy

[fol. 95] to examine them? Do you have them in order that will help in the examination of them?

A. Yes, sir.

Q. What kind of order is that?

A. They are listed as they are in the book here.

Q. Well, let me—

A. We have them in the files in that order.

Q. Are you aware that May 1, '58, is the critical date on the grandfather application?

A. Yes, sir.

Q. Are your underlying documents so arranged so that protestants may begin, let us say, May 1, '58, and go either direction?

A. Yes, sir.

Mr. Joyce: I don't have any further questions at this time, sir.

Exam. Cave: Is there any cross examination of this witness before you examine the underlying documents?

Mr. Ford: I would prefer to examine the underlying documents first, Mr. Examiner, if that is agreeable.

Exam. Cave: We will recess then until counsel has had an opportunity to examine the underlying documents and, of course, I don't know how long that will take. I would appreciate it if you would let me know.

Mr. Joyce: May I ask one more question on the record, if I could, sir?

[fol. 96] Exam. Cave: Very well.

By Mr. Joyce:

Q. Mr. Shaw, the Exhibits 20, 21 and 22 and the underlying documents for those exhibits, are those exhibits, are those underlying documents supporting the exhibits, a for hire transportation?

A. Yes, sir.

Mr. Joyce: That's all.

Exam. Cave: We will recess then until counsel has had an opportunity to examine the underlying documents.

(Short recess.)

Exam. Cave: On the record.

We will adjourn for lunch now until 2:00 to give the

protestants' counsel an opportunity to further examine the underlying documents.

(Whereupon, at 11:30 a.m., a recess was taken until 2:00 p.m. of the same day.)

[fol. 97] AFTERNOON SESSION 2:00 p.m.

Exam. Cave: All right, proceed with the hearing.

Mr. Joyce: I have just a few more questions.

By Mr. Joyce:

Q. Mr. Willis, do you have in front of you a copy of your BCR 1 application?

A. Yes, sir.

Q. Now, first of all did you sign this application; you did, didn't you?

A. Yes, sir.

Q. Let me ask you this question. In connection with Section No. 3 there in addition to the frozen fruits, frozen berries and frozen vegetables on and prior to May 1, 1958, did you transport in addition to those items other items mentioned there such as poultry and fish?

A. Yes, sir.

Q. Was that transportation for hire?

A. Yes.

Q. Now, on and subsequent to May 1, '58, were the same commodities we have just discussed in Section 3 were they also transported in the states involved for hire?

A. Yes, sir.

Q. Was that in straight and mixed shipments?

A. Yes.

Mr. Matthews: May we have that last question read?

Exam. Cave: Will you read it, Mr. Reporter?

[fol. 98] (Question and answer read.)

Mr. Matthews: I don't want to object every time this thing comes up, but I do want to put in an objection there since this is the first time it's come up in the testimony, I believe. That gets into the question of whether or not if any transportation certain presently exempt commodities in mixed loads with frozen fruits, frozen vegetables and frozen berries, and it's still my position that that's outside

of the scope of this application, and I object to it and ask that the answer be stricken.

Exam. Cave: Well, I think the applicant should be permitted to testify how he transported the commodities irrespective of whether they were straight truckloads. I will overrule the objection and motion to strike.

By Mr. Joyce:

Now, then, in the transportation of these commodities as shown in your application and into the states involved, are you familiar with where those commodities, No. 1, are processed?

A. Yes, sir, I am.

Q. Can you tell us whether those processing plants remain in one place, do they move around in a given state?

A. Well, the processing plants may move from town to town in the period of years that commodity is being raised. That particular commodity they may store it in different cold storages over the state and many times one cold stor- [fol. 99] age that's normally stored in will be full and they will have to store some place else in the state in order to get storage for their product.

Q. As a matter of fact, can you cite an example that's happened within the last two or three months where a processor has built a new plant within a state?

A. Built a new plant within a state?

Q. Yes.

A. Yes, sir. Burley, Idaho, and Heyburn, Idaho, within the last—it's been opened both of them within the last two months—

Mr. Brooks: I object and move to strike that answer unless the processing of the commodities are on commodities involved in this grandfather application.

Mr. Joyce: My question, sir, to begin with was commodities named in the application. That's all I am referring to.

Mr. Brooks: Well, I would like to ask a question on voir dire then, if I may, Mr. Examiner.

Exam. Cave: All right.

By Mr. Brooks:

Q. Isn't it a fact the plants to which you refer are plants which process potatoes, the so-called French fried, crinkle-cut potatoes, et cetera, rather than fruit and vegetables per se?

A. They process corn and frozen potatoes but mostly frozen potatoes, and may I say also we consider the frozen [fol. 100] potatoes frozen vegetables and we have all of the way through, and we have hauled them before and since.

Mr. Brooks: That goes beyond my question.

By Mr. Brooks:

Q. I am talking about specifically the plant at Heyburn, Idaho. Isn't it a fact the only processing done there is potatoes?

A. I couldn't say. We do load out of the cold storage frozen corn.

Q. Do you have records here in the hearing room of any frozen corn moved out of Heyburn, Idaho?

A. No, sir. That is a new plant.

Mr. Brooks: I move to strike any reference to the particular plants he has referred to of new plants since those plants process frozen potatoes which the Commission has ruled is not under the grandfather provisions of the Transportation Act of 1958.

Mr. Joyce: The purpose of the question which I am leading into in the frozen industry not only cold storage but plants themselves there are new ones constructed. The plants close down and move to another location. My next question was going to be whether or not the service rendered was of multiple pickups, and I am asking him to state that as an example. It's true in Division 1 that frozen French fries is not a frozen vegetable but it has not been decided yet, so I think it's relevant here because the underlying doc- [fol. 101] uments show he has transported frozen French fried potatoes as a frozen vegetable and until the Commission finally rules on it I think he will continue to do so until this authority is granted.

Mr. Ford: We submit that as long as the Commission has an order outstanding that order is the law as to that particular commodity. Whether they are taking that order on appeal will remain until that Commission order is overturned.

Exam. Cave: As I understand it the question is not restricted to the transportation of potatoes. It includes—as I understand it it's a general question relating to plants that might freeze vegetables. I can't sustain an objection which would knock all of the others out, sir.

Mr. Brooks: What I had in mind, Mr. Examiner, that the examples he has cited were improper examples.

The Witness: I can cite some more.

Mr. Joyce: I could ask the question in a different way.

Direct examination (Continued).

By Mr. Joyce:

Q. Does the service you have been rendering require multiple pickups?

A. Yes, sir, it does. For instance, Birdseye plant at Searcy, Arkansas, is a small plant. They built it there a few years back and they have very little freezing facilities there. They have very little cold storage there. We have to move the product from there to other cold storages. We move it as far as from Searcy to Kansas City. We move it to Fayetteville, to Little Rock, to Fort Smith, to Van Buren, [fol. 102] to Memphis, Tennessee, and any place they can get storage facilities, and we have to make several pickups in order to make a load, one load, where it will have different vegetables in different storage, therefore, there may be even storage as far as Oklahoma City.

Q. Then to make two questions out of one does the service you have been rendering, have you rendered multiple pickups in one state?

A. Yes, sir, multiple pickups in one and sometimes multiple pickups in two to get one load.

Q. Is the same thing true as to destinations do you have multiple drops, have you been rendering that type of service?

A. Yes, sir, we have to have multiple drops sometimes even in different states.

Q. And has that service been rendered on and prior and subsequent to May 1, '58?

A. Yes, sir.

Q. On a for hire basis?

A. Yes, sir.

Q. Mr. Shaw, have you ever had a Board of Equalization Permit from the State of California?

A. Yes, sir, on May the 4th, 1954, the State of California issued us a BE Permit No. 106507.

Q. Now, then, what is the purpose of the BE Permit, what is that for?

[fol. 103] A. That is hauling for hire that we pay a transportation tax for what percentage of the load is hauled over the miles in the State of California against the total miles, a three percent tax similar to the transportation tax. We have paid that since 1954 on all for hire shipments that we have made.

Q. That are involved, for example, in California?

A. It involves every shipment that we have in this room here in the State of California we have paid transportation tax on and the records will show in the State of California that every shipment in this room has had transportation tax paid on it as a shipment of freight.

Q. Now, the transportation tax I believe you said is only paid when such transportation is rendered on a for hire basis?

A. Yes, sir.

Q. Now, then, how about Arizona, for example?

A. In Arizona they started June the 10th, 1955. They issued us Permit MC 13564 and it is similar to California, but it is two and a half percent tax.

Q. Is that for hire transportation?

A. For hire transportation.

Q. Your company has had that permit since when?

A. Since June 10, 1955.

Q. Have you been paying taxes to that state since then?

A. Yes, sir.

Q. Another example, does Washington have such a tax?

[fol. 104] A. They don't have the tax but we was issued

in 1955 by the Washington Public Service Commission authority to operate CC 14815.

Q. All right, during the recess did you take Exhibit No. 20, for example, which is the frozen fish exhibit and did you compare a pro number for—can you give us any examples of any shipment of frozen fish shown on Exhibit 20 as to where that same shipment might tie in with a shipment on Exhibit 22, for example?

A. All right. Starting with pro No. 7272—

Q. Just a minute, please. Which exhibit are you now looking at?

A. Exhibit 20.

Q. And what page and where is it?

A. Page 4, pro No. 7272, 2,094 pounds of fish, frozen fish, from Seattle, Washington. to Kansas City, Missouri.

In Exhibit No. 22, pro No. 7272—

Q. Where is it, where is the pro number now?

A. Pro No. 7272 in Exhibit 22 will show that—

Mr. Matthews: Where is that?

Exam Cave: What page?

Mr. Ford: Page 110.

By Mr. Joyce:

Q. Where is pro No. 7272 on Exhibit 22?

A. Page 107.

Mr. Ford: 7272?

[fol. 105] The Witness: 110. I am sorry.

By Mr. Joyce:

Q. Now, then, explain that example, that shipment.

A. From the underlying documents—if you would like to we can produce them—will show that this truck picked up frozen berries at Puyallup, Washington, Everett, Washington, Ridgefield, Washington, Portland, Oregon, and Seattle, Washington, frozen fish to Kansas City, Missouri.

Q. Now, did the frozen berries and the frozen fish move in the same truck as the exhibit here shows?

A. Yes.

Mr. Matthews: I object to that. For a number of reasons, the first one being it's outside the scope of the application as filed by the applicant. The second one being outside of the scope of the application as published in the Federal Register which I now have in the hearing room.

The third one being I think we should have the underlying documents before us.

Mr. Joyce: Go and get them.

Mr. Ford: And for another reason Exhibit No. 20 doesn't purport to show any mixed shipments but purports to show shipments of frozen fish and the exhibit so indicates.

Mr. Joyce: In that connection when that exhibit was first identified protestants called attention to the fact that there were certain mixed shipments on Page 1 of the ex-
[fol. 106] hibit, so it does show more than what you have said.

Mr. Ford: I am going on what the exhibit purports to reflect as shown on the outside of it.

Exam. Cave: Well, I don't think the applicant should be precluded from showing how the commodities were transported [illegible] fact the Commission wants to know how they were transported, because it will not permit the carrier to transport so-called exempt commodities if they are moving in the same vehicle with so-called nonexempt unless it has authority to do so. The Commission would still have to authorize such service and I think the questions asked by the applicant's counsel are pertinent and I do think that the records which Mr. Matthews has requested should be furnished for examination.

By Mr. Joyce:

Q. Do you have the underlying documents covering the shipment you just referred to?

A. I have the underlying documents.

Q. Will you let Mr. Matthews see it then?

The Witness: Here is the pro number, here is the date and here is the driver's name here that signed both bills, Ed Tabor.

Mr. Matthews: Do we understand that the Examiner is overruling the objection so far as the scope of this application is concerned?

Exam. Cave: The scope of the application, sir, is as published in the Federal Register.

Mr. Matthews: Well, it's my position then that the [fol. 107] testimony concerning whether or not the fish transported on so-called pro No. 7272 was in the same truck with frozen berries transported under so-called pro No. 7272 is a matter immaterial to any issue in this proceeding and it simply encumbers the record and is of no value to the Commission.

Exam. Cave: I just explained, sir, why I think it is pertinent. The Commission wants to know those facts. If it's not a straight load, if it moved in the same vehicle with some nonexempt commodity the Commission wants to know about it because it will not be permitted without authorizing it.

Mr. Matthews: At any rate insofar as that part of my objection is concerned it's overruled, and I would like now to take the witness on voir dire relative to these particular documents before he goes ahead and testifies to the facts there was a mixture of shipments in the truck, if I may ask him one or two questions.

Exam. Cave: Yes.

VOIR DIRE

By Mr. Matthews:

Q. You have shown me the documents that underlie that particular item?

A. Yes, sir.

Q. There is one group of documents here which purports to cover the movement of berries, isn't that true?

A. Yes, sir.

Q. All right, and then you have another separate docu- [fol. 108] ment or group of documents which covers the movement of the fish?

A. Yes, sir.

Q. Now, referring first to the documents which purport to cover the movement of berries. Would you explain what documents you have there?

A. That is pro No. 7272 showing a load of berries picked up by Ed Tabor, our truck driver, at Ridgefield, Washington.

Q. What is that first sheet? I want you to describe the first sheet as to what it is; is it a front bill, invoice or statement you present to the shipper, or what is it?

A. It's an invoice of that freight bill that we present to the shipper.

Q. That is made out where and when?

A. That is made out at Elm Springs, Arkansas.

Q. After the shipment has moved?

A. Yes, sir.

Q. That is for the purpose of collecting revenue?

A. Yes, sir.

Q. What else?

A. We have the pickup receipts and delivery receipts from C. A. Robinson Cold Storage in Ridgefield, 100 tins of berries.

Q. That's 3,000 pounds?

A. Yes, sir.

Q. What else?

A. Kelley, Farquhar & Company at Puyallup, Washing-
[fol. 109] ton, consigned to George L. Fox Products, Kansas City, Missouri, 462 tins, 30 pound, frozen whole strawberries.

Q. What's the weight?

A. 14,784 pounds.

Q. That's the item shown there on Page 110?

A. Right.

Q. What else?

A. Picked up at Everett, Washington, at the American Ice and Cold Storage and consigned to George L. Fox at Kansas City 150 tins, 30 pound, frozen berries, 4,800 pounds.

Q. That's the bill of lading you are reading from?

A. Right. It shows delivered here at U. S. Cold Storage and signed for.

Q. What else?

A. C. A. Robinson Cold Storage at Ridgefield, Washington, 110 tins of blackberries, 28 pounds each, frozen, 3,000 pounds, delivered to Kansas City, signed by R. Bland. From Kelley, Farquhar & Company, Portland, Oregon, to George L. Fox Products, Kansas City, Missouri, 150 tins, 30 pounds each, frozen berries, delivered to U. S. Cold Storage, Kansas City.

Q. That's the bill of lading you are reading from?

A. Yes, sir.

Q. That's all you have under berries, is it not?

A. Yes.

[fol. 110] Q. Turning to what you have under fish. Do you have a separate billing on that fish?

A. This is a billing of 7272. That's the pro number designated for that truck for that complete trip.

Q. What are you referring to, what piece of paper?

A. This is a freight bill we billed McGregor Seafoods at Seattle, Washington.

Q. Where was that typed up?

A. Elm Springs, Arkansas.

Q. Your general office after the shipment was completed?

A. At Pisca Fruit Company, Kansas City, Missouri.

Q. That was cut after the movement was completed?

A. Yes, sir.

Q. That was for the purpose of charging the shipper for the movement?

A. That's right.

Q. Do you have any other documents? It does show frozen fish on it?

A. Frozen fish at Kansas City, Safeway and Kroger at Kansas City. Here on the back of it is a receipt from McGregor Seafoods at Seattle paying for the freight.

Q. That 7272, isn't that the only means by which you tie those two together?

A. Yes, sir, that was the truck that loaded at both places.

Q. Now, didn't that No. 7272 apply to the movement of [fol. 111] that truck from the time it originally left Elm Springs all the way through on the movement to the West Coast and return to Elm Springs?

A. Yes.

Mr. Matthews: That is all of my voir dire.
The Witness: I have here in my book—
Mr. Matthews: That's all of my voir dire, sir.

Direct examination (Continued).

By Mr. Joyce:

Q. All right, now, you have just given an example of both Exhibit No. 20 and 22 covering a mixed shipment?
A. Yes, sir.
Q. Did you get other such examples during the recess?
A. Yes, sir.
Q. Give us another example.
A. On Page 4.
Q. Of which one now?
A. Exhibit 20, under date of 5-16-60, pro No. 6793-1, frozen fish, 3,300 pounds, Twin Falls, Idaho, to Kansas City, Missouri. You will find that in Exhibit No. 22 pro No. 6793-1, Page 97.
Q. Explain that, sir.
A. That is a load of frozen fruits and vegetables from Nampa, Idaho, Twin Falls, Idaho, to Kansas City and Paducah, Kentucky, including frozen fish.
Q. And the underlying documents covering that shipment are here in the hearing room?
[fol. 112] A. Yes, sir. Also the load sheet shows that the truck was dispatched to that particular area.
Q. Was that for hire transportation?
A. For hire transportation.
Q. Do you have other examples of a similar nature?

Mr. Matthews: Wait just a second.

Mr. Joyce: Now, Mr. Examiner, I submit these documents have been in the hearing room available for protestants to examine and I am going to give some of these examples. The documents have been here and it's going to take a lot of time now to go into this. They have had a chance to look at them so I am trying to go on with my direct examination. If they want to cross-examine they can.

Exam. Cave: Well, I think the applicant ought to be permitted to ask his witness for examples before counsel examines.

Mr. Joyce: Thank you, sir.

By Mr. Joyce:

Q. Do you have another example, Mr. Shaw?

A. Yes, sir. On Page 3 of Exhibit 20, pro No. 6171, frozen fish, 6,556 pounds from Seattle, Washington, to Kansas City, Missouri. You will find that in Exhibit 22 on Page 80, pro No. 6171, frozen vegetables and berries, 6,300 pounds from Stanwood, Washington, to Smith Center, Kansas, 15,300 pounds from Kent, Washington, to Smith Center, Kansas, 11,700 pounds from Mount Vernon, Washington, to St. Joseph, Missouri. Included in that shipment [fol. 113] of 6171, 6,556 pounds frozen fish from Seattle, Washington, to Kansas City, Missouri. We have the underlying documents here in the room.

Q. Now, then, Mr. Shaw, you have given here three examples of shipments involving frozen fruits, berries or vegetables and fish, is that correct?

A. Yes, sir.

Q. Do you have other examples?

A. There are 22 more on the next two pages.

Exam. Cave: Do you know which ones they are?

The Witness: Yes, sir, I marked each one of those and showed them to him so he could check every one of them and he checked one.

Mr. Joyce: You are pointing to Mr. Matthews?

The Witness: Yes, sir.

By Mr. Joyce:

Q. So the record will be straight you say 22 more. Just identify them and the record will show.

A. On Page 3, Exhibit 20, 5903, 5761—

Exam. Cave: Have you got the page number of the Exhibit 22 on that?

The Witness: 5903 would be on Page 73, that is a load of frozen fruits and vegetables—

Exam. Cave: You don't need to refer to the commodity, sir. I just want the pro numbers.

Mr. Ford: 5761 is on Page 71 of Exhibit 22.

Exam. Cave: I didn't know we had gotten to that number. [fol. 114] I was on 5903.

The Witness: 5903 is on Page 73 of Exhibit 22.

Exam. Cave: Now, you are taking 5761?

The Witness: 5761.

By Mr. Joyce:

Q. Appears at what page on Exhibit 22, Mr. Shaw?

A. Appears on Exhibit 22 at Page 71 of Exhibit 22.

Pro No. 5728, load of fish, Seattle, Washington, to Kansas City. Appears in Exhibit 22 on Page 70.

Pro No. 5676, a load of fish from Twin Falls, Idaho, to Denver, Colorado, 2,000 pounds. That will appear on the same load on Exhibit 22 on Page 69.

Pro No. 5298, 2,210 pounds, Seattle, Washington, to Fort Smith, Arkansas, and 2,210 pounds from Seattle, Washington, to Wichita, Kansas. The same pro number will appear on Page 64 of Exhibit 22.

Mr. Matthews: 64?

The Witness: 64, yes, sir.

Pro No. 5239, frozen fish, 7,170 pounds from Seattle, Washington, to Oklahoma City, will appear on Exhibit 22 on Page 62.

Pro No. 5226, frozen fish, 3500 pounds, Idaho Falls, Idaho, to Kansas City, 1,000 pounds, from Twin Falls, Idaho, to Kansas City, will appear on Page 62 in Exhibit 22.

Pro No. 4980, frozen fish, 5,040 pounds, Bellingham, [fol. 115] Washington, to Kansas City, 5,040 pounds, Bellingham, Washington, to Wichita, Kansas, 3,733 pounds Seattle, Washington, to Kansas City, will appear on Page 57 of Exhibit 22.

On Page 2, Pro No. 4673, frozen fish, 5,400 pounds, Twin Falls, Idaho, to Kansas City, will appear on Page 52 of Exhibit 22.

Mr. Matthews: I am sorry, I didn't get that number, the pro number.

The Witness: 4673 at the bottom of Page 2.

Mr. Matthews: 4673?

The Witness: Yes, sir.

Mr. Matthews: That page number on the other one?

The Witness: 52.

Pro No. 4584, frozen fish and vegetables, 20,518 pounds from Seattle, Washington—I am sorry—it's 4584. We have the documents here in the room, were frozen fish and vegetables 20,518 pounds from Seattle, Washington, to Pueblo, Colorado. It will not appear in Exhibit 22.

Pro No. 4523, frozen fish, 3,450 pounds, Twin Falls, Idaho, to Kansas City, Missouri, will appear on Page 49 of Exhibit 22.

Pro No. 4481, frozen fish, 2,420 pounds, San Francisco, California, to Kansas City, Missouri, will appear on Page 49 of Exhibit 22.

4449, frozen fish, 3,675 pounds, Twin Falls, Idaho, to Kansas City, Missouri, will appear on Page 48 of Exhibit 22.

[fol. 116] Pro No. 4308, frozen fish, 1,045 pounds, from San Francisco, California, to Kansas City, Missouri, will appear on Page 47 of Exhibit 22.

Pro No. 4306, frozen fish, 3,300 pounds, Twin Falls, Idaho, to Kansas City, Missouri, will appear on Page 46 of Exhibit 22.

Pro No. 4225-A, frozen fish, 12,320 pounds, Astoria, Oregon, to Kansas City, Missouri, will appear on Page 45 of Exhibit 22.

Pro No. 4165, frozen fish, 3,080 pounds, Twin Falls, Idaho, to Kansas City, Missouri, will appear on Page 44 of Exhibit 22,

Pro No. 4138, frozen fish, 1,542 pounds, Monterey, California, to Kansas City, Missouri, will appear on Page 44 of Exhibit 22.

Pro No. 4095, frozen fish, 14,696 pounds, Seattle, Washington, to Kansas City, Missouri, on Page 43 of Exhibit 22.

Pro No. 4078, frozen fish, 10,681 pounds, Seattle, Washington, to Kansas City, Missouri, will appear on Page 42 of Exhibit 22.

4048, frozen fish, 3,549 pounds, Seattle, Washington, to Smith Center, Kansas, 4,840 pounds from Seattle, Washington, to Kansas City, Missouri, will appear on Page 42 of Exhibit 22.

Pro No. 4037, frozen fish, 2,750 pounds, Twin Falls, Idaho, to Kansas City, Missouri, will appear on Page 42 of Exhibit 22.

Pro No. 3904, frozen fish, I believe that's 3,300 pounds, Twin Falls, Idaho, to Kansas City, Missouri, will appear on Page 40 of Exhibit 22.

Pro No. 3626, frozen fish—

[fol. 117] Exam. Cave: Just a minute, what page?

The Witness: Page 1, pro No. 3626, frozen fish, 34,276 pounds, from Vancouver, British Columbia, to Kansas City, Missouri, frozen vegetables, 2,220 pounds, Ontario, Oregon, to Kansas City, Missouri. This will not appear on Exhibit 22.

Pro No. 3452, frozen fish, 5,830 pounds, Buhl and Twin Falls, Idaho, to Kansas City, Missouri, will appear on Page 35 of Exhibit 22.

Pro No. 1301, frozen fish, 4,400 pounds, Everett, Washington, to Kansas City, Missouri, will appear on Page 16 of Exhibit 22.

Those documents will show that those were all hauled in the same truck on the same trip from destination with either frozen vegetables, frozen berries, frozen fruit and frozen fish.

By Mr. Joyce:

Q. All right. Mr. Shaw, referring now to Exhibit No. 21 a minute. That exhibit is a record of shipments of poultry, correct?

A. Yes, sir.

Q. Now, for example, I have just opened the page and am looking at number—and I am looking at Page 23, for example, and I just looked at No. 4308.

In the operation of your business poultry was, in that instance which I just opened the book to was, taken from Fayetteville to Omaha. Now, then, would the same pro number follow that truck upon its return?

A. Yes, sir.

[fol. 118] Q. To Elm Springs?

A. Yes, sir.

Q. Now, in the operation of your business—I don't ask you to tell me about that specific one I just picked out—but when your truck reaches its destination as in that example then can you tell me in the majority of cases what was transported on return?

A. In the majority of the cases, we would return it to Fairmont, Minnesota, and load frozen vegetables or we might load frozen vegetables out of Omaha to some other point in the 35 states.

Q. Well, as I say I just happened to pick up and look at that one. Look at Page 48 of Exhibit 22.

A. Page 48?

Q. Yes, sir, and down eight items you will find pro No. 4408, won't you?

A. Yes, sir. That truck loaded frozen vegetables, 33,069 pounds, from Fairmont, Minnesota, back to Kansas City, Missouri.

Q. Is that just an example which would be more or less true throughout Exhibit 21 as in 22?

A. Yes, sir, each place where these trucks were unloading we dispatched them a large percent of the time to pick up frozen berries and vegetables within that particular state or in area close by that we ship from and to.

Q. In other words, when your trucks took eggs and poultry as shown in Exhibit 21 to destinations wherever they [fol. 119] might have been then your trucks were there to bring back frozen fruits, berries and vegetables or mixed with fish back to those destinations?

A. That is right.

Q. And the pro number follows the truck on its entire trip?

A. That is right.

Q. One question about Exhibit No. 13. Wait. I am sorry. Exhibit No. 7. Do you have that one, sir?

A. Yes, sir.

Q. That's your transportation tax exhibit?

A. Yes, sir.

Q. Who prepared that exhibit?

A. My accountant.

Q. And those payments, how did he determine, from what records did he determine the amounts that were due and paid?

A. The freight we hauled for hire is in this and he figured it up at the end of each month and we mailed the check in to the Government and they have a record of these on file there. If protestants want them, why, I'm sure they are available.

Q. Were these amounts paid?

A. Yes, sir.

Q. By you or your company?

A. They definitely were.

Q. I have one other question at this time, Mr. Shaw. As some of the statements in Exhibit 1 show I will ask you this [fol. 120] question, have you on and prior and subsequent to May 1, 1958, solicited and held yourself out to transport the commodities shown in your BOR 1 application?

A. Yes, sir, I definitely have.

Q. And was that soliciting and holding out for hire?

A. Yes, sir.

Mr. Joyce: I believe at this time that is all, Mr. Examiner.

Exam. Cave: Cross examination?

Cross examination.

By Mr. Ford:

Q. First, Mr. Shaw, with reference to your pro No. 6793-1 which your counsel asked you about—

Mr. Joyce: Where is that?

Mr. Ford: I will have to find it. It's on Page 97 of Exhibit No. 22. I believe it's also listed on Page 4 of Exhibit No. 20, and it's one of the shipments you just testified about with reference to the frozen fish being included.

The Witness: Yes, sir.

By Mr. Ford:

Q. I would like to show you your bills and underlying documents in connection with this particular shipment, and I will first let you refer to the bill of lading from the Birdseye Division. Do you have it before you there?

A. Yes, sir.

Q. I will ask you whether or not included in the shipment of what purports to be frozen vegetables and frozen fruits you have a listing of cooked frozen vegetables, is that correct, sir?

[fol. 121] A. Frozen corn is considered by Birdseye as cooked frozen vegetable but by the Interstate Commerce it is not. The frozen corn is blanched to a higher degree than your frozen potatoes are and therefore they call it frozen cooked foods. Now, in some items some of these Birdseye bills I believe it will be verified out that this frozen vegetables cooked is French fried potatoes.

Q. Can you tell me on which it is in that particular bill?

A. In that particular bill it's French fried potatoes and crinkle cuts, I believe. Let me check on the back. It says 15 cases of sliced strawberries, 5 cases of green beans, 5 cases of cut green beans, 15 cases of baby lima beans, 10 cases of Ford hock lima beans, 15 cases of Brussel sprouts, 15 cases of ear corn, 15 cases of cut corn, 5 cases of mixed vegetables, 10 cases of peas, 500 cases of crinkle cuts. I can't read the amount of cases there. One hundred cases of farmside crinkle cuts, 250 cases of French fries, and 85 cases of crinkle cuts.

In that case I would say that it refers to French fries and crinkle cut potatoes.

Q. All right, sir, and the number you have on this delivery memorandum, warehouse delivery memorandum, shows 250 cases. It's under the case designation. I presume that's right?

A. That was picked up at Nampa, Idaho, and the other was picked up at—I believe it's all picked up at Nampa, Idaho. This is a breakdown of it all on the second page. [fol. 122] Q. That breakdown shows 500 cases of Birdseye crinkle cuts weighing 16,000 pounds?

A. That is correct.

Q. In addition there is 100 additional cases of Farmside crinkle cuts weighing 3,200 pounds?

A. Yes, sir.

Q. A total of 19,200 pounds of crinkle cuts?

A. Yes, sir, and the balance of the load on this particular bill was strawberries, vegetables and frozen fish.

Q. Have you finished?

A. Yes, sir.

Q. All right, sir. Do you still conduct any kind of buy and sell operation in connection with your company, Mr. Shaw?

A. No, sir. We was restricted by the Interstate Commerce and I think you will find that on Exhibit 6.

Mr. Joyce: Yes.

By Mr. Ford:

Q. All right, sir. When was the last time—when did this restriction take place or when was the last time you operated in a buy and sell capacity?

A. October '57.

Q. All right, sir, on Exhibit 20, 21 and 22, have you listed on those exhibits part of the buy and sell operations you conducted prior to 1957, sir?

A. The buy and sell operations that we were talking about here was live poultry, fresh fruits and berries and fresh vegetables.

[fol. 123] Q. Well, did it include any frozen products? Did you buy and sell—

A. Yes, sir, frozen concentrate, frozen grape juice, some frozen fruits, berries and vegetables that was put in storage for long term.

Q. Do you have any of those items listed, any of your buy and sell operations in connection with the frozen products listed on Exhibits 20, 21 or 22?

A. No, sir, I contend they are for hire transportation.

Q. I see, and they did not include any buy and sell operations?

A. Yes, sir.

Q. I will ask you whether or not, Mr. Shaw, your underlying documents show a sale and purchase by you in many of the instances prior to the time in 1957—that was just a bill I happened to have—I didn't give that to you to refer to. I just wanted you to get it back—prior to the 1957 restriction by the Commission?

A. Prior to October 1957?

Q. Yes, sir.

A. I contend they are for hire.

Q. That wasn't the question. I asked you whether or not your underlying documents reflect you actually made the purchase of the commodities and subsequently sold them at the destination.

Mr. Joyce: Let me have that question again, Mr. Reporter.

(Question read.)

[fol. 124] Exam. Cave: Are you referring to underlying documents supporting Exhibit 22, sir?

Mr. Ford: Yes, sir. As a matter of fact I have numbers that are on Exhibit 22 for reference, but I was also referring to documents on Exhibit 20 and underlying Exhibits 20 and 21 prior to October 1 of 1957.

The Witness: I believe I can clear that up. You will find some places where we have brokers that have bought and sold and paid us the transportation and used our name to buy and sell them for the reason they cannot buy and handle merchandise in their own name and they paid us a total of two cents a pound and two and a quarter cents a pound.

By Mr. Ford:

Q. My question was do the underlying documents reflect that you made the purchase and that you made the sale of the commodities involved in the application?

Mr. Joyce: Mr. Examiner, I am going to ask that whatever shipments that Mr. Ford might be referring to he get the underlying documents so Mr. Shaw can see them.

By Mr. Ford:

Q. I will make a reference then to your pro No.—

Mr. Joyce: Wait a minute.

Mr. Ford: I am going to give him several. Do you want them one at a time?

The Witness: Let's take them one at a time.

Exam. Cave: What exhibit?

[fol. 125] Mr. Ford: It's Exhibit 22, Mr. Examiner.

The Witness: What number?

Mr. Joyce: Let's go off the record.

Exam. Cave: Off the record.

(Discussion off the record.)

Exam. Cave: On the record.

The Witness: Yes, sir, I have it.

By Mr. Ford:

Q. You have which one now?

A. 954.

Q. No. 954. All right, sir. You have first a blue copy which has the designation invoice on it, is that correct?

A. Yes, sir.

Q. And that purports to be the invoice of Willis Shaw Produce Company?

A. Fairmont Canning Company for a load to Smith Center—we do not have the weight on this Smith Center. You can figure this bill up. It's $480.61.

Q. You are reading from the document itself, is that correct, sir?

A. Yes, sir. Homer Templeton hauled the load.

Exam. Cave: Let's have this in question and answer so somebody can understand this record. Wait until he asks a question, Mr. Shaw, before you answer it, sir, and I would appreciate it if counsel would wait until he answers the question before asking another.

[fol. 126] By Mr. Ford:

Q. I will ask you if that shows an origin or destination point as such?

A. It shows Fairmont Canning Company—we billed them for the load from Fairmont, Minnesota.

Q. Does that show you billed the Fairmont Canning Company at Fairmont, Minnesota, for the load?

A. Yes, sir. In my load book—

Mr. Ford: Mr. Examiner, I would like the witness to answer my questions like you suggested instead of in narrative form.

Mr. Joyce: Now, we have the underlying documents supporting this shipment and I think he should be permitted to testify.

Exam. Cave: Off the record.

(Discussion off the record.)

Exam. Cave: Back on the record.

By Mr. Ford:

Q. The question I asked, Mr. Shaw, was whether or not the document itself, the invoice which purports to reflect the transportation referred to, indicates an origin, a point of origin or a point of destination as such on the face of that document?

A. Yes, sir, it does.

Q. All right, sir, would you tell me where, sir?

A. Load to Smith Center, Austin, Houston and San Antonio.

Q. I see. Does that give any consignee or anything of that nature, sir?

[fol. 127] A. Fairmont Canning Company at Fairmont, Minnesota.

Q. Is that the consignee?

A. Yes, sir.

Q. Who is the consignor?

A. It doesn't show that there.

Q. Where did the shipment originate?

A. Fairmont, Minnesota, Fairmont Canning Company.

Q. It was destined to what points, you say?

A. To Austin, Houston, San Antonio, Texas, and Smith Center, Kansas.

Q. Do you have any weights or any commodity description on that document, sir?

The Witness: May I go off the record, your Honor?

A. No, it does not.

By Mr. Ford:

Q. All right, sir. Now, then, you have another portion of bill No. 954 which purports to show what; can you tell me the origin of that shipment?

A. Winter Garden Processers, at Carrizo Springs, Texas.

Q. What is the destination if it shows on the document?

A. Mid-Central Fish at Kansas City, Missouri.

Q. It shows invoiced to whom?

A. Willis Shaw Produce Company.

Q. Does this document then reflect on its face you purchased the commodities?

Mr. Joyce: Mr. Examiner, I object to that question. He [fol. 128] answered each question and what the document may show on its face is anybody's opinion. The document will speak for itself as to what it may show on its face.

Mr. Ford: Mr. Examiner, the documents were submitted here to verify and sustain the shipments referred to in his exhibits.

Mr. Joyce: The witness may state what the document shows. What it may show on its face to him or to you or to me may be two different things.

Mr. Ford: All right, I will accept that.

Exam. Cave: I think you can ask the witness.

By Mr. Ford:

Q. You have here before you a document which purports to cover No. 326, San Antonio Foreign Trading Company bill, is that correct, sir?

A. Yes, sir.

Q. In connection with the same shipment, is that correct?

A. Yes, sir.

Q. And that has a designation up here of shipper and mentions Winter Garden Processing, Carrizo Springs, Texas?

A. Yes, sir.

Q. It has a designation by Willis Shaw, Elm Springs, Arkansas?

A. Yes, sir, but you will find over here on the other page—

Q. It shows down at the third designation broker, Minrath Brokerage Company, Kansas City, Missouri.

A. Yes, sir.

Q. Do those documents indicate you did make the pur-
[fol. 129] chase of the commodities involved?

Mr. Joyce: I object to that question did the documents indicate that he made it. He can ask the question do they show or do not show it. Indicate is a superfluous word. It's nebulous.

Exam. Cave: Well, I don't think it is. The witness knows what it means.

The Witness: The broker purchased the load—

Mr. Ford: Mr. Examiner, I submit that's not the question I asked. The question I asked can be answered yes or no. His explanation as to what actually occurred or anything further can be made by his counsel. If he wants to he can make it now, but I would like to have my question answered before he starts off on some other statement of his own.

Exam. Cave: Can you answer his question, Mr. Shaw?

The Witness: Would you restate your question?

Exam. Cave: Read it, Mr. Reporter.

(Question read.)

A. Yes, sir, they do.

By Mr. Ford:

Q. All right, sir, and I will ask you while we have these documents before us whether or not the commodity description on the transportation from Carrizo Springs to Kansas City makes any reference to the commodities being frozen?

A. Yes, sir. It's 24 10-ounce best grade 10-A broccoli, and it's always packed in frozen—

[fol. 130] Mr. Ford: Mr. Examiner, I move to strike the witness's answer. The question was did the documents show that the commodity transported was frozen.

Mr. Joyce: Mr. Examiner, he answered it by explaining what this slant 10 means in the industry.

Mr. Ford: That is not the question.

The Witness: I can answer it.

Exam. Cave: I will grant the motion to strike. We have to get along here. This is 1955 and we have got a long way to go. If the document doesn't show, Mr. Shaw, you can tell us. There's no use wasting time on the thing. Your counsel can bring it out on redirect examination if that is the case.

Mr. Joyce: Go ahead and answer his questions.

The Witness: Let me look it over.

No, sir, it does not.

By Mr. Ford:

Q. All right, sir. Do you have No. 1065 now before you?

A. Yes, sir.

Q. All right, sir. I will ask you to look at the documents contained in 1065 and particularly with reference to the bills back here of the company at Carrizo Springs. That is Winter Garden Processers, and I will ask you whether or not this particular document shows shipped to and bears the designation Mid-Central Fish Company and under that it has invoiced to Willis Shaw Produce Company; does that [fol. 131] document contain that and does it refer to cauliflower?

A. Yes, sir.

Q. And on the next document which is also a bill of Winter Garden Processers Company does it designate shipped to Kaw Valley at Topeka, Kansas, and billed to Willis Shaw?

A. Yes, sir.

Q. Will you examine the documents attached thereto and tell me whether or not any of the commodities transported are designated frozen by the underlying documents you are holding?

A. Yes, sir, on Mid-Central Fish bill here it says frozen, FF merchandise, frozen fo[illegible] merchandise.

Q. Where is that?

A. FF merchandise, frozen.

Q. You say this designation here of FF and Mdse. means—

A. Means frozen food merchandise.

Q. That means all of the commodities were frozen, is that correct?

A. Yes, sir.

Q. All right, sir, but on the bill of Winter Garden Processers—there are two of them in there—they do not indicate frozen merchandise, do they?

A. No, sir.

Q. You have your two invoices of Willis Shaw Produce Company and they don't indicate frozen, do they?

A. No, sir.

[fol. 132] Q. Now, then, would you look at No. 1225, please, Mr. Shaw. I believe that would be the second bill down there.

A. 1125?

Q. 1225. That is also a shipment from Carrizo Springs from the same company previously referred to, is that correct?

A. Yes, sir.

Q. And it purports to show shipments from Carrizo Springs to Kansas City and Topeka, Kansas, is that correct?

A. Yes, sir.

Q. Will you look at the one to Kansas City, please, the documents underlying the shipment to Kansas City; do you have that, sir?

A. Yes, sir.

Q. I will ask you whether or not anywhere on the underlying documents either your bill or the bill of Winter Garden Processers which is date 2-22-56, the commodities are shown to be frozen?

A. It only says at the top Winter Garden Processers, choice canned and frozen foods.

Q. Does it on the typewritten part that's filled in on the form, does it mention anywhere frozen?

A. No, sir, it does not.

Q. Now, the Topeka shipment also dated 2-22-56, transported on your bill 1225 from Carrizo Springs, to Topeka, Kansas, is that correct?

A. Yes, sir.

[fol. 133] Q. And shipped to the Kaw Valley Produce Company and the invoice is to Willis Shaw Produce Company?

A. Yes, sir.

Q. And on the commodities transported there I will ask you whether or not it shows Grade A frozen leaf spinach?

A. Yes, sir.

Q. Grade A frozen broccoli spears?

A. Yes, sir.

Q. And Grade A frozen cauliflower?

A. Yes, sir.

Q. And again those documents reflect as far as the documents themselves you were the purchaser, is that correct?

A. Yes, sir.

Q. I will refer you, Mr. Shaw, to No. 1290, 1329 and 1378-A which are all transportation from Carrizo Springs to the same company to various points and ask you to look at those various documents and tell me whether or not in every instance the commodity is not shown to be frozen?

A. No, sir, they do not.

Q. Do they also indicate that Willis Shaw Produce was the purchaser in those cases?

A. Yes, sir.

Q. Now, I will refer you to your bill No. 3415 which is in Exhibit 22 and I will find the page.

A. What number?

[fol. 134] Q. 3415.

A. Would you like for us to get that bill?

Q. I am going to ask you a question about it. One of your assistants helped me to check it and we were unable to locate any underlying documents pertaining to the shipment to Amarillo as reflected on your exhibit. You will note on your exhibit on pro 3415 at Page 34 of Exhibit 22 it lists a number of items from various points in California to Nashville, Tennessee, on four or five shipments and then one destined to Amarillo, Texas.

A. At the time of our recess I asked the protestants if they had found any shipments that they could not find any underlying documents and no one seemed to find a one.

Q. Well, now, I had your assistant—

A. Here he hands me a bill and it says that 3415 from Arctic Foods consigned to—from Watsonville and Modesto, California, to Amarillo, Texas.

Q. That is your invoice, is that correct?

A. That is right. That shows a movement we made from that point to—

Q. Attached to that are various other invoices of your company also, is that correct?

A. Yes, sir.

Q. And also attached to it are the freight bills supporting every one of those shipments except the one to Amarillo. Can you tell me where the Amarillo one would be?

[fol. 135] A. Back in that time we were not required to keep the freight bills or the bills of lading and when the driver would get one signed when that load was delivered he would bring them in to us and nine times out of ten we would send it back with them along with our freight bill billing them for the merchandise, and in only a few cases would we even have a copy left.

Q. In that instance you have all of them with the exception of one to Amarillo, Texas?

A. Yes, sir, and it is noted on here and I believe if you would like we can get 3415 in our load book and I believe it will show that that truck delivered at Amarillo, Texas. If you would like to take the time to do that.

The Witness: Get 3415, September 16th of '57.

Exam. Cave: Let's take a couple of minutes recess.

(Short recess.)

Exam. Cave: Back on the record.

The Witness: Pro No. 6171, dated 11-3-59, 50 cases of frozen vegetables, stop for partial leading Stokley-Van Camp, East Stanwood, Washington, frozen berries, 11,700 pounds, B-o-o-g-a-r-t S-u-p-p, Smith Center, Kansas. 6,300 pounds. 850 cases of frozen vegetables, Boogart Supp, Smith Center, Kansas, 15,300 pounds, total of 33,300 pounds. The bill of lading shows 200 cases of frozen strawberries SL 24/10, 18 pounds, 3600. One hundred cases of frozen strawberries SL 24/16, 27 pounds, 2700.

[fol. 136] 850 cases frozen food, 13,500 pounds.

Pro No. 6793-1, dated 5-16-60, 33,146 pounds, Nampa, Idaho, to Paducah, Kentucky, 1030 cases frozen fruits and vegetables, 600 loaded for destination Paducah, Kentucky, vegetables cooked, frozen, in inner containers, 19,200. Eighty cases vegetables, fresh, frozen, in metal cans, in boxes, 2,558 pounds.

By Mr. Ford:

Q. Can you get your pro No. 5723 dated July 3, 1959, which is listed on Page 70 of Exhibit No. 22.

A. 523?

Q. Yes, sir, purporting to show a shipment of berries and fish from Seattle, Washington, Snohomish, Washington, and Nampa, Idaho, to three destinations, Tulsa, Oklahoma, Amarillo, Texas, and Oklahoma City, and my question to you with reference to those documents will be this, whether or not all of the commodity delivered to Amarillo was fish.

A. The portion that went to Amarillo was breaded oysters, halibut steaks and crabmeat.

Q. All fish or fish products, is that correct?

A. Yes, sir, on a load with frozen fruits, berries and vegetables to other points, yes.

Q. But the commodities delivered at Amarillo were all fish of one kind or another, is that correct, is that what your records reflect?

A. That is correct.

Q. Now, then, with reference to the Nampa, Idaho, ship-
[fol. 137] ment to Oklahoma City, can you tell me what that was, sir?

A. Nampa, Idaho, to Beatrice Foods, Oklahoma City, that portion is French fries, and potato gems.

Exam. Cave: What are potato gems?

The Witness: They are sometimes called spudniks. They are little small potatoes that's cut up in different small diced potatoes.

By Mr. Ford:

Q. With reference, Mr. Shaw, to the shipments which you have listed on Exhibit No. 2, from Ontario, Oregon, I will

ask you whether or not in practically every instance they are French fries or some potato product?

A. Most of the time they are. It would be either corn and potatoes from them points. I believe the underlying documents will show that.

Q. Isn't it a fact that in practically all of those instances the entire load was potatoes, though, the vast weight of the load?

A. Sometimes. The shipments will be started in Washington or Oregon with fruits and berries and come down to Idaho and load on potatoes there.

Q. I will direct your attention, if you please, to bill No. 4770 dated 10-22-58 purporting to be a shipment from Ontario, Oregon, to Dallas and Fort Worth. That's 4770, and I will ask you to examine the underlying documents supporting that shipment and tell me whether or not all of the [fol. 138] commodities shown thereon are potatoes or potato products of one kind or another? Incidentally, that had a four-drop destination, the four drops being Dallas, Fort Worth, Oklahoma City and Tulsa.

A. No, sir, it was partly cut corn. On the portion to Dallas, Texas, it was 100 cases of 12, two and a half pound cut corn, 200 cases to Alford's Cold Storage, 22, four ear cob corn. To Fort Worth, 24, two ear cob corn.

Exam. Cave: Did you say popcorn?

The Witness: Cob corn, corn on the cob.

By Mr. Ford:

Q. May I see your invoices on those.

With reference to those shipments I want to ask you whether or not your invoices which you have referred to before as being accurate reflect the proper commodities whether on those invoices you have established you make your bill for the freight shipments whether those invoices show any commodity on them other than potatoes on them?

A. Part of the time we invoice them as frozen vegetables. Not always. Part of the time they mark them on their freight bill as frozen vegetables. On this particular one here it's Idaho Potato Products, shows where picked up and how delivered and who by and how many cases on the

bill, and it shows part of it delivered to Dallas was cut corn, 12 two and a half pound cut corn, and part of it is potato parts and part crinkle cuts, but as far as I am concerned it's all vegetables.

Q. Are you through, sir?

[fol. 139] A. Yes, sir.

Q. Then may I ask you this question as to whether or not your invoices again show any billing for any products other than potatoes?

A. No, sir, they do not, but I think this is substantial evidence I hauled vegetables when it reads on here frozen vegetables 2790 cases of frozen vegetables, 38,115 pounds and you will find in the back here Willis Shaw billed Dallas, Texas, for 200 cases of 24 ear cob corn. You just didn't look at all of them.

Q. I asked you to tell me what they showed, Mr. Shaw. I didn't purport to look at everything in that thing.

A. There is a hundred cases.

Q. Your invoice does show cut corn?

A. Yes, sir.

Q. That is what I wanted you to tell me.

That was No. 4770, was it?

A. 4770, yes, sir.

Q. With reference to your Exhibit No. 22, in summary, Mr. Shaw, I will ask you whether or not since May of 1956 you originated only two shipments as reflected by your Exhibit No. 22 within the State of Texas, those being one on January the 9th, 1957, from McAllen, Texas, destined to St. Louis, Missouri, your pro No. 2637, and the other being dated January the 11th, 1958, originating Amarillo, Texas, destined to Fort Smith, Arkansas, your pro No. 3830. [fol. 140] Do you know whether that's correct or not?

A. No, I do not.

Q. And I will ask you whether or not subsequent to May 1, 1958, you had three shipments originating in Texas, one dated July 9, 1958, your pro No. 4456 originating Tyler, Texas, destined to Minneapolis, the second being dated April 14, '59, originating, showing a split origin including Dallas, Texas, destined to Houston, Texas, your pro No. 5372 and No. 7396, your Pro No. 7396 dated September 10, 1960, originating Fort Worth, Texas, destined to St. James, Minnesota.

If I say that's correct from my examination do you know otherwise or have you—

A. I just presume that the exhibit will show.

Q. The exhibit will stand for itself.

Now, I believe that you have a shipment listed in your book of your Exhibit 22, dated July 14, '57, your pro No. 2935, Page 24, purporting to show three origins, Kansas City, Kansas, and all deliveries to three different points in Kansas?

A. I believe we marked them out last night on the exhibit.

Q. I didn't understand?

A. We marked them out last night in the exhibit.

Mr. Joyce: Excuse me, sir. Your question was does that shipment you are talking about on Page 24—is that 2395?

Mr. Ford: Right.

Mr. Joyce: You are referring to an intrastate shipment?

[fol. 141] Mr. Ford: Right.

Mr. Joyce: May I ask Mr. Shaw one question?

Mr. Ford: Yes.

Mr. Joyce: Did the bill last night show it was intra?

The Witness: Yes, sir.

Mr. Joyce: We will strike that one.

The Witness: There's also another one 2458 at the lower part of the page.

By Mr. Ford:

Q. All right, sir, did you find any others?

Mr. Joyce: I did remember that. We will strike those two.

Mr. Ford: I believe that is all I have, right at the present time.

By Mr. Brooks:

Q. Mr. Shaw, does your company have pending an application before the Interstate Commerce Commission in MC 117119, Sub No. 6, for authority on frozen foods from specified points in the Northwest to points in approximately 22 states?

A. Yes, sir, we do have.

Q. And the hearing has been held in connection with that proceeding?

A. Yes.

Q. And the application itself specifies frozen foods, period, is that correct?

A. Yes, sir.

Q. In connection with that proceeding do you recall if [fol. 142] your company, if the applicant, put in evidence an extensive exhibit showing movements of certain frozen foods?

A. Yes, sir, we did.

Q. May I refer you to a document which I believe was received in evidence as Exhibit No. 6 in that proceeding?

A. Yes, sir.

Q. That covers a period from January 11, 1957, through March 9, 1960, is that correct?

A. I believe that is correct.

Q. Did you not testify in that proceeding that all of the shipments shown on Exhibit No. 6 included potato products or were straight shipments of potato products?

Mr. Joyce: Mr. Examiner, I am going to object to any reference to what Mr. Shaw may have testified to in that particular hearing. It is a matter of record and I don't see the relevancy of his testimony in that case on a frozen foods case to the instant application of grandfather rights of frozen fruits, berries and vegetables.

Exam. Cave: Is that application the subject of 207?

Mr. Brooks: It was an application under 207, Mr. Examiner. The purpose of bringing this out is that in our opinion, No. 1, that the applicant should not be granted duplicating authority and, No. 2, a check of the exhibit put in in that proceeding, being Exhibit No. 6 in that proceeding, is entirely duplicated by the entries in connection with [fol. 143] Exhibit No. 22 in this proceeding, and for the purpose of the record in connection with these potato products I would like to ask counsel for applicant if he would be willing to file as a late-filed exhibit the Exhibit No. 6 which was placed into evidence in the Sub 6 proceeding.

Mr. Joyce: I will answer that. I again say it's irrelevant and immaterial what exhibits were in that hearing. That

was a PC&N case involving frozen foods and the exhibits in that case whatever they may have been, have no part in this case. This is a grandfather case.

Mr. Brooks: The reason for asking, Mr. Examiner, that the exhibit be entered into evidence in this proceeding is to avoid a great deal of cross examination. There are several hundred shipments in this Sub 6 proceeding that are duplicated by Exhibit No. 22 in this proceeding. If we are not permitted a late-filed exhibit reflecting what shipments were shown in the Exhibit No. 6 in the Sub 6 proceeding then it's going to be necessary to go through this Exhibit No. 22 and question on every one of these shipments to show that they were potato products, frozen potato products, French fries, crinkle cuts and hash browns, and so on.

Exam. Cave: Well, in my opinion it's not necessary to go through them to avoid granting the applicant grandfather authority. The Commission is required under the statute to grant the authority in the grandfather clause if [fol. 144] proper showing is made. If the showing is made here he will be granted such authority and if such are the circumstances he will not be granted any duplicating authority under a Section 7 application.

Mr. Brooks: However, we do have prior decisions of the Commission which have held these potato products are not proper for consideration in a grandfather proceeding under frozen fruits, berries and vegetables inasmuch as they were shown by administrative ruling 107 as not exempt at the time that 107 was adopted by Congress in connection with the Transportation Act of 1958, therefore, we feel that as the Commission has held and the attitude of the Commission that French fried potatoes have no element of proof in one of these grandfather proceedings as frozen vegetables.

Exam. Cave: I know that the Commission has held that, sir, and the only thing I can suggest to you is you ask the witness to point to which ones embrace French fried potatoes so you can examine him on them.

Mr. Brooks: Well, it would seem more expedient were this No. 6 exhibit introduced because it has the freight bill numbers and there's no problem checking the freight bill

numbers against this Exhibit No. 6 with the freight bill numbers with Exhibit 22.

Exam. Cave: Do you mean, sir, the code number shown on Exhibit 22 many of those are the same as shown on Exhibit No. 6 in the prior proceeding?

Mr. Brooks: Yes, sir. I started checking last night and [fol. 145] I checked two complete pages and they were exact. I mean every pro shown on this Exhibit 6 was also included in Exhibit 22.

Exam. Cave: That might be true, but that doesn't necessarily mean that frozen potatoes, French fried potatoes, were the only commodity listed on that pro number.

Mr. Brooks: I think that is correct. I think that is correct.

Exam. Cave: Then that wouldn't help us any if that was the case.

Mr. Brooks: It would to this extent, it would be our opinion, Mr. Examiner, since the French fried potatoes are not exempt neither were the berries or fruits moved with the French fried potatoes since not exempt it did not come a subject of the Transportation Act of 1958.

Exam. Cave: Off the record.

(Discussion off the record.)

Exam. Cave: Back on the record.

By Mr. Brooks:

Q. Mr. Shaw, would you not agree that the shipments included in Exhibit No. 22 originating or having origins in the State of Idaho, points in the State of Idaho, Ontario, Washington, and Zillah, Washington, included the so-called French fries or potato products?

A. Yes, they include French fries, those points include French fries.

Mr. Brooks: May I have that question and answer read back, please?

[fol. 146] (Question and answer read.)

By Mr. Brooks:

Q. Would you refer to what has been identified as Exhibit No. 22, Mr. Shaw, Page 27, please.

A. Which shipment?

Q. The shipment covered by pro No. 2771, the second item from the top.

A. On what page?

Q. Page 27.

A. Is that the shipment from Fairmont, Minnesota, to Springdale, Arkansas?

Q. Page 27, pro No. 2771, the second item.

A. Yes, sir.

Q. Which shows the origin as California. We did check the records on that and determined the exact origins in California for the picking up of that load?

A. Yes, that was Watsonville, Modesto, and Santa Maria.

Mr. Brooks: Mr. Examiner, may the exhibit be corrected?

Exam. Cave: Yes, sir.

By Mr. Brooks:

Q. On Page No. 28, pro No. 2950, which also shows California—

A. Yes, sir, we checked that and that was from San Jose, California.

Exam. Cave: What page is that on?

Mr. Brooks: Page 28, Mr. Examiner, pro No. 2950, about [fol. 147] almost halfway down on the page.

Exam. Cave: San Jose, you say?

The Witness: Yes, sir.

By Mr. Brooks:

Q. And pro No. 2959?

A. Yes, sir, that was San Jose, and pro 2976 the origin is Watsonville, California, and pro 2918 at the top of the page where we have origin that should be Milton-Freewater.

Q. That's Milton dash Freewater?

A. Yes, sir.

Exam. Cave: Is that the name of a town in Oregon?
The Witness: Yes, sir.
Mr. Brooks: Yes, sir.

By Mr. Brooks:

Q. On Page 29 the fourth item down, pro No. 3012 also shows California?

A. Yes, sir, that was Modesto and San Jose.

Mr. Brooks: If the Examiner please we have in examining these documents last evening picked up a number of those instances where the state only was shown and without having to go through the entire exhibit I would offer to stipulate with counsel for the applicant the points from which traffic moved or to which traffic moved where the state only is shown would not be any different than the points as specifically shown during the particular period of time.

Mr. Joyce: Well, as is shown in the abstract. In other words, whatever town may be shown in California whereas [fol. 148] you have just pointed out where it just shows California it's stipulated it would be one of those towns as shown in the abstract.

Mr. Brooks: That is correct. There would be no expansion in those towns either origin or destination territory beyond that which is specifically shown by other entries on the exhibit.

Mr. Joyce: All right.

Exam. Cave: So understood?

Mr. Brooks: You will agree to that stipulation?

Mr. Joyce: Yes, sir, I did. Yes, sir.

By Mr. Brooks:

Q. Mr. Shaw, is my understanding correct insofar as Exhibit No. 22 is concerned that it was set up to show the broadest extent of transportation from the standpoint of origin points and the standpoint of destination points and the standpoint of commodities, is that correct?

A. Yes, in one way. We didn't put all of the bills. We have in the hearing room approximately 2,000 bills which

we didn't put in there because it was from the same points to the same, from the same origin to the same destination.

Q. In other words, any additional bills that you might have in the hearing room would be repetitive of the entries on Exhibit No. 22, is that not correct?

A. Yes, sir, uh-huh.

Q. I would like to have you refer to Page No. 48, Exhibit No. 22, pro No. 4452. Will you refer to that bill, please.

Would you for the purpose of the record indicate the [fol. 149] commodities that were transported in connection with that?

Mr. Joyce: I am sorry, Mr. Brooks, but I didn't hear the first part of your question.

Mr. Brooks: For the purpose of the record would you indicate the commodities transported in connection with that load?

A. From Ontario, Oregon, to Tulsa, Oklahoma, and Oklahoma City, frozen potatoes. From Portland, Oregon—excuse me—scratch that—Portland Canning Company at Sherwood, Oregon, to Tulsa, Oklahoma, 130 pounds of boysenberries, 50 tins 20-pound red raspberries, 50 cans 28-pound blackberries, and 25 cans of 30-pound strawberries. From Hillsboro Fruit, Salem, Oregon, to Bethany, Oklahoma, 50 cases 25-pound strawberries and 350 cans of 30-pound strawberries.

From Oregon Fruit Products at Salem, Oregon, to Wichita, Kansas, 134 cases 12/14 ounce boysenberries, 76 cases 24/14 ounce boysenberries, 4 cases 16 ounce strawberries.

From Blue Lake Packers, West Salem, Oregon, to Kansas City, Missouri, 25 cans red raspberries, 50 cases of strawberries.

By Mr. Brooks:

Q. Is it your intention, Mr. Shaw, in connection with your grandfather application to have granted authority for the transportation of raspberry puree?

A. I do not. That was put on by mistake. We didn't try to cover it up. We left it in here because it was part of the load, and if you would like you can scratch that puree [fol. 150] because it's from the same point as the strawberries.

Exam. Cave: Does that document indicate frozen?

The Witness: Yes, sir. These points only handle frozen foods. Mid-Central Fish at Kansas City only handles frozen foods. If you will notice at the bottom of this document they put FF merchandise.

By Mr. Brooks:

Q. If you will refer to Page 52, freight bill No. 4688. Please examine the records there, Mr. Shaw, and would you tell us whether or not there was raspberry puree included in this.

A. Yes, sir. From the same point, but all of the rest of it is frozen fruits, berries and vegetables. That was put on unbeknowing to any of us in the office.

Q. Would you refer to Page No. 101, freight bill No. 6937. Would an examination of the documents indicate that the major portion of that load was grape concentrate originating at Prosser, Washington, and destined to Concordia, Kansas?

A. No, I wouldn't say it was a greater portion. We have on that load 600 cases of French fries from Ontario, Oregon, to the Safeway Stores in Kansas City, 600 cases. I will give you the pounds, 7,250 pounds of French fries. 9,600 pounds of French fries, 22,500 pounds of grape concentrate. That was put on by mistake. They ordered the truck for hauling frozen fruits and vegetables. It was put on by mistake through something we couldn't help and we left it in with the shipments.

[fol. 151] Q. I was going to ask you the question whether or not the underlying documents in the hearing room show any other movement from Prosser, Washington, other than the concentrate that was shown on Exhibit No. 22.

A. I am sure if there is any other shipments from Prosser, Washington, they will not be concentrates. I assure you of that.

Q. Are there any other shipments from Prosser?

A. Yes, sir.

Mr. Brooks: Mr. Examiner, due to the fact there was prompting on the other side of the table I would like to have the question and answer stricken from the record.

Exam. Cave: All right, sir, it may be stricken.

By Mr. Brooks:

Q. Mr. Shaw, as I understand from your prior testimony that the buy and sell operations to some extent more or less extend from the period shown from the start of Exhibit No. 22 being in 1954 through, to and including September, the latter part of September of 1957, is that correct, where the Commission required you to discontinue any buy and sell operations to still remain in transportation?

Mr. Joyce: Mr. Brooks, I didn't hear the first part of your question. Do you remember what you said?

Mr. Brooks: Referring to Exhibit No. 22, starting in 1954 and extending through September of 1957, that that was the extent of any so-called buy and sell operations in [fol. 152] connection with his transportation.

Mr. Joyce: I object to that question, Mr. Examiner, for the reason I don't think there is any testimony or anything else in the record of a buy and sell operation in the period he mentions. The exhibit doesn't show it.

Mr. Brooks: If the Examiner please, the underlying documents do show it.

Mr. Joyce: I think that is a matter for the record to decide.

Exam. Cave: There is some evidence about buy and sell.

Mr. Brooks: I believe Exhibit No. 1 will show it.

Exam. Cave: I believe under those circumstances the witness ought to answer the question.

The Witness: You are talking now of No. 22?

Exam. Cave: Read the question to him, Mr. Reporter.

(Question read.)

The Witness: We contend that all shipments—

By Mr. Brooks:

Q. If I could have my answer, Mr. Shaw.

A. No.

Q. What is the situation as to the time when your company was invoiced by shippers for the merchandise and your

company in turn invoiced certain customers or certain brokers for the same merchandise?

A. We didn't sell, buy and sell, any live poultry, concentrate, frozen fruits and vegetables after the time you are [fol. 153] talking about. As far as Exhibit 22, we contend that what we put in here is a bona fide for hire operation. Now, we have shipments that show otherwise, but what we put in here in bona fide for hire hauling. We picked them up at a certain point and carried them to a certain destination. The merchandise moved. The brokers charged the price and the difference is what we paid our taxes on, BE taxes to California for transportation and to the Government and the difference between that was two dollars from California and two and a quarter from the Northwest, and we contend that portion of it was for hire transportation.

Q. Nevertheless, Mr. Shaw, isn't it a fact that you did that, that you were billed by the shipper for the invoice of the merchandise and you in turn billed the consignee for the invoice of the merchandise?

A. It was all done by broker.

Mr. Joyce: My objection to the question was that Mr. Brooks be more specific as to certain shipments.

Exam. Cave: Mr. Shaw, do you engage in a buying and selling of any commodities to date?

The Witness: No, sir.

Exam. Cave: When did you discontinue?

The Witness: It was in '58, '57 or '58. Let's see here. I believe it was—the specific date is on one of these exhibits here. The one I have is a little blurred.

Mr. Brooks: Wasn't the date the date that the interim [fol. 154] permit was issued, the first day of October, 1957?

The Witness: It was October 1, 1957.

By Mr. Brooks:

Q. Would you refer to Page 13 of Exhibit 22, and I would like to ask for the underlying documents on freight bill No. 1093.

I will ask you whether or not there is contained therein an invoice issued by the Santa Clara Frosted Foods Com-

pany, Santa Clara, California, showing sold to Willis Shaw Produce Company, Elm Springs, Arkansas, 224 ten-ounce lima beans, and so on, invoiced in the amount of $1085.86?

A. Yes, sir, that is the shipment that the broker—

Q. I asked you if that is shown on the document?

A. Willis Shaw hauled it on Willis Shaw truck.

Q. I asked if the document shows sold to Willis Shaw Produce Company?

A. Yes, sir.

Q. All right. I will ask you whether or not there is a letter in there from the Santa Clara Frosted Foods Company as one of the underlying documents adjusting the storage rate in connection with the particular shipment?

A. Yes, sir, it is.

Q. And the letter was addressed to Willis Shaw Produce making an adjustment on storage, is that correct?

A. Yes, sir.

Q. And the next document is attached to an invoice from [fol. 155] Glacier Packing Company, Sanger, California, showing sliced peaches sold to Willis Shaw Produce Company, Elm Springs, Arkansas, and invoiced to Willis Shaw Produce Company in the amount of $1743.50?

A. Yes, sir, and shipped on a Willis Shaw truck.

Q. I didn't ask you how it was shipped. I asked you what the invoice shows.

Mr. Joyce: The invoice shows that. Let the record so show.

By Mr. Brooks:

Q. Referring to another invoice of California Frozen Foods, Incorporated, Modesto, California, does that not show sold to Willis Shaw Produce Company, Elm Springs, Arkansas, ranch cut beans and invoiced to Willis Shaw in the amount of $513?

A. Yes, sir.

Q. Will you refer to additional invoices of Willis Shaw Produce Company, and does that not show sold to Mid-Central Fish Company at Kansas City, Missouri, 145 cases of beans for $575?

A. Yes, sir.

Q. The next invoice being a Willis Shaw Produce Company invoice, does that not show sold to Mid-Central Fish Company, Kansas City, Missouri, 300 cases of lima beans, in the amount of $1224?

A. Yes, sir.

Q. And another invoice sold by Willis Shaw Produce Company to Mid-Central Fish Company, Kansas City, [fol. 156] Missouri, one lot of strawberries in the amount of $461.70?

A. Yes.

Q. And the last invoice, an invoice from Willis Shaw Produce Company sold to Mid-Central Fish Company, Kansas City, Missouri, 550 cases of peaches in the amount of $1973.50?

A. Yes, sir.

Q. Isn't it a fact, Mr. Shaw, if we were to go through the period starting with 1954 and taking entries on the exhibit up to and through September 30, 1957, that we would not find a substantial number of similar situations about which I have been questioning you there where the product was invoiced by the shipper to Willis Shaw Produce Company and the Willis Shaw Produce Company in turn invoiced the consignee or the customer at the destination of transportation?

A. We analyzed that document covering that period in the room and it will run about five percent that it's that type of operation. The rest of them are strictly for hire, and we will explain that later.

Q. Would it not be a fact that it would run approximately 10 to 15 percent rather than 5 percent?

A. No, sir.

Mr. Joyce: The witness has testified it would be 5 percent.

Mr. Brooks: In which case, Mr. Examiner, I am going to ask for time to make an actual count of those shipments where the commodity was sold to Willis Shaw and then [fol. 157] in turn sold by Willis Shaw to another party as to the number of occasions shown on the Exhibit No. 22, the number of such occasions shown on Exhibit No. 22 versus those where Willis Shaw Trucking Company ac-

tually performed transportation and collected transportation charges and the transportation tax, to come to an understanding as to the amount of shipments, number of shipments on Exhibit No. 22 prior to October 1, 1957, that were buy and sell operations.

Mr. Joyce: Now, Mr. Examiner, I would like to make this statement, that last night Mr. Brooks came to our room in the hotel about 7:00 P.M. and stayed until about 2:00 A.M. this date, during which time the underlying documents he was furnished with a copy of Exhibit 22, and a general discussion was had on this entire problem. In addition to that, Mr. Brooks has had today from 11:15 to 2:15 to further examine these documents, and I think tha ample time has been furnished Mr. Brooks to make such examination as he wants to make and be specific as to any documents he wants to inquire about of Mr. Shaw.

Mr. Brooks: I would like to say that following the examination and because of the time I was not permitted to examine all of the documents. The discussion with applicant and counsel for applicant last evening we agreed that the amount of buy and sell shipments was 10 to 15 percent, and I would like that shown on the record.

Mr. Joyce: Well, let me clear that up.

[fol. 158] Exam. Cave: Off the record.

(Discussion off the record.)

Exam. Cave: Back on the record.

Mr. Brooks: If the Examiner please, I would renew my request to have the opportunity to examine all of the applicant records underlying Exhibit No. 22 during the period starting with the first entry on the exhibit, May 3, 1954, through September 30, 1957, for the purpose of determining the actual number of transactions where Willis Shaw Produce purchased the merchandise and in turn sold the merchandise according to the records which they have available in support of Exhibit 22.

Exam. Cave: All right, sir, in the off-the-record discussion it's my understanding the applicant is willing to make the documents available to you at the conclusion of this hearing for such examination and that you will submit

your findings in a written statement which I will receive in evidence as a late-filed exhibit, and I have also indicated to the applicant that if they desire to submit a similar finding with respect to such matter they may do so.

Mr. Joyce: Yes, sir, I was going to ask for that privilege.

Exam. Cave: All right, sir.

Mr. Brooks: With that I have no further questions. Thank you, Mr. Shaw.

Mr. Matthews: I have just a very few.

By Mr. Matthews:

Q. Let's refer, for example, to No. 3904, Page 40 of [fol. 159] Exhibit 22 and also Page 2 of Exhibit 20, and also Page 30 of Exhibit 21. May I see the documents underlying pro No. 3904 on those three exhibits.

Will you refer to the same pro number on Exhibit 21.

Exam. Cave: What page?

Mr. Matthews: 30, right at the bottom.

Mr. Joyce: Well, now, Mr. Matthews, Exhibit No. 21 has two or three Page 30's. Which section?

Mr. Matthews: Well, excuse me. It would be the first section.

Mr. Joyce: All right, thank you.

By Mr. Matthews:

Q. Now, Mr Shaw, during the noon recess we looked over this particular pro number and the different entries in the different exhibits and the underlying documents, did we not?

A. Yes, sir.

Q. Isn't it true that pro No. 3904 actually is a number which is assigned to a trip out of your general office at Elm Springs, Arkansas, and wherever the truck may go until it returns back to Elm Springs, Arkansas, for the completion of that route?

A. That is right.

Q. And it could leave Elm Springs, Arkansas, and go to

Texas and California and to Idaho and to Illinois and eventually end up in Elm Springs?

A. Yes, sir.

[fol. 160] Q. And all of the transportation performed in round trip movement would be assigned the same specific pro number as you term it?

A. It would be assigned the 3904.

Q. That particular example I gave you would. Isn't that correct that is just a hypothetical example of the one I gave you going to Illinois, and so forth?

A. Yes.

Q. Now, that being the case, let's refer to Exhibit 21. Pro No. 3904 there shows ice pack poultry, 33,665 pounds, from Russellville, Arkansas, to Salt Lake City, Utah, does it not?

A. That is correct.

Q. Isn't it true that insofar as that portion of the round trip movement is concerned there was nothing in the trailer at the same time with that poultry?

A. That's true. That shows that the truck left Russellville to Salt Lake City, a movement under that pro number the same as the one in your 22 and then it picked up a load there and it went on to pick up a load of frozen fruits and vegetables.

Q. I want to ask you a general question which will deal with your operations.

A. Yes, sir.

Q. Do I understand that a pro number and an ordinary motor carrier freight bill would apply to that, only one particular bill; are you that familiar with an ordinary operation?

[fol. 161] A. No, sir, I am not.

Q. As a matter of fact so far as your method of operation is concerned you have 3904 three different bills?

A. That is correct.

Q. And when I speak of bills I mean what we have referred to previously as an invoice which you gave the shipper in order to collect your money?

A. Yes, sir.

Q. So that pro number does not refer to a particular freight bill but to rather an entire round trip movement?

A. It refers to that particular freight bill for that particular load from certain points to certain points.

Q. In this case you have three bills on pro No. 3904?

A. Yes, sir. That is one of the reasons for this poultry exhibit. It also shows that that truck was there soliciting frozen fruits and vegetables from that particular area.

Mr. Matthews: I want to state by asking this question I am not waiving my objection to the consideration of mixed shipments but because of the fact I have been overruled it's necessary to get into this a little bit. It would not be our contention so far as this movement of poultry was concerned there was no mixture at all.

The Witness: Not on poultry, no.

By Mr. Matthews:

Q. Now, can we go through Exhibit 22 and tell in each and every instance on there whether a particular pro num-
[fol. 162] ber had a mixture on the same truck at the same time for movement?

A. If it was in the vicinity, if it was in Washington and Oregon and the pro number is in this book here—

Exam. Cave: What are you speaking of now?

The Witness: 22, and there is a similar load from that vicinity back into our place it would be on the same truck.

By Mr. Matthews:

Q. Probably.

A. It would be on the same truck, and I have the documents here to back up how each truck went and for each shipment in here we have every bill.

Mr. Joyce: Which one?

The Witness: For Exhibit 21 in the hearing room.

By Mr. Matthews:

Q. I understand. You have been very kind to show us the documents, but now I am trying to make sense out of the exhibit. We are going to have to simply guess that a particular truck was close enough to combine that move-

ment to know whether or not it was on the same trailer at the same time.

A. We have the bills.

Q. But the Commission is not going to have the bills. We are trying to understand the exhibit which is all that the Commission will have. Do you follow me?

A. Yes, sir.

Q. We are simply going to have to look at Exhibit 20 and 22 if we are going to try to find out any mixture of fish with [fol. 163] vegetables, berries and fruits. We will simply have to look at those two exhibits and try to find the same pro numbers and then guess if the truck was at about the same place so that it would be combined?

Mr. Joyce: I am going to object to that question.

Mr. Matthews: I will withdraw it. I don't want to argue with the witness.

By Mr. Matthews:

Q. So far as the poultry is concerned isn't it true that that is almost exclusively—I am not saying exclusively but almost is—a movement out of your home territory in the Arkansas area; it's an outbound movement?

A. Yes, sir, most of it is in that area to points where we picked up showing we had trucks in the area at that particular time soliciting business on frozen fruits and berries and vegetables.

Q. In every instance that would be straight loads of poultry?

A. I think the exhibit will speak for itself, most of them are.

Q. Now, you named certain movements on Exhibit 20 in which you related back to Exhibit No. 22?

A. Yes, sir.

Q. Making your assertion that they were both under the same pro number?

A. Yes, sir.

Q. Now, in those instances which you did not mention on Exhibit 20, would they all be straight loads of fish the ones you didn't bring up?

[fol. 164] A. Presumably, yes. I have nothing to say otherwise in the room. For instance, I know that we didn't come back from Seattle with 4,900—here on Page 2 of Exhibit 20, pro No. 4235, I do know we didn't come back from Seattle, Washington, with 4903 pounds to Kansas City. It was definitely on with another load, but I don't have—

Q. You don't have any way of knowing?

A. I don't have any way of knowing. Probably the load of frozen fruits and vegetables is in the box up there, that box with that pro number.

Q. You don't have any documentary evidence you can present me now?

A. To that one, no, sir. The ones I pointed out, yes, sir.

Q. And isn't it true that the ones you pointed out prior to May 1, 1958—strike that—

Mr. Joyce: May we be off the record?

Exam. Cave: Yes. Off the record.

(Discussion off the record.)

Exam. Cave: Back on the record.

By Mr. Matthews:

Q. Let's take one example on these you mentioned previously. Exhibit 20, and referring to Exhibit 22, one of those I believe was your pro No. 4037. If we could see the underlying documents on that.

A. Yes, sir.

Q. Now, you have provided to me the invoices upon which [fol. 165] you billed the shipper on that pro No. 4037.

A. Yes, sir.

Q. Now, I hand you one of these invoices and ask you if that doesn't cover a movement of potato products out of Ontario, Oregon?

A. Yes, sir.

Q. And—

A. Nampa, Idaho.

Q. To?

A. Kansas City, Missouri.

Q. What is the second item on that yellow invoice?

A. Fifty cases of Best Pack Patties, potato patties for Mid-Central Fish, Kansas City.

Q. What is a potato patty?

A. That's a potato product.

Exam. Cave: Are they frozen?

The Witness: Yes, sir, frozen potato patties, frozen French fries. It's a form of potatoes.

By Mr. Matthews:

Q. What documents do you have in the hearing room upon which—strike that.

What documents did you use to prepare Exhibit 7?

A. My accountant prepared that from my records. It was paid by check for them amounts for them periods, and it would be verifiable with the Internal Revenue if you would like to check it or we can send you copies of the checks.

[fol. 166] Q. In other words, you used copies of Cashier's Checks to compute the figures on Exhibit 7?

A. No, not Cashier's Checks, Willis Shaw checks.

Q. It's copies of checks you used to compute the figures on Exhibit 7?

A. No, sir, they are not, but we can make them available to you. I swear on oath that them is correct copies of the amounts we paid the United States Government for transportation tax for them periods.

Q. That doesn't show where the shipments moved from or to, does it; that's just the total?

A. No, sir, it doesn't.

Mr. Matthews: That is all I have. Thank you.

Exam. Cave: Any other cross examination?

Mr. Shaw, what is the purpose of Exhibit 21?

The Witness: That is to explain our pro numbers and also to show that we had equipment in those states on that particular day soliciting business for frozen fruits, berries and vegetables. We had equipment there and we were soliciting the business, and also it would tie in with what we did in Exhibit 22.

Exam. Cave: Exhibit 21 is not designed to show you transported frozen poultry in the same vehicle with some other commodities?

The Witness: It's remote instances where there was, but it's not but very few times.

[fol. 167] Exam. Cave: That is all I have. Thank you.

Redirect examination.

By Mr. Joyce:

Q. Mr. Shaw, you have been asked several questions concerning buy and sell operations as well as for hire?

A. Yes, sir.

Q. Starting out, the first ones you were asked about was pro No. 954, and as I recall these were all taken from Exhibit No. 22?

A. Yes, sir.

Mr. Ford: Those are the ones he referred to, is that right?

Mr. Joyce: That is the ones I was talking about.

By Mr. Joyce:

Q. Mr. Brooks made the remark that this underlying document No. 954 indicated certain things. Now, do you have—oh, I am sorry, Mr. Ford asked that.

Do you have in the hearing room also any other instrument that supports pro No. 954?

A. Yes, sir, I have a load sheet.

Q. Just answer my question.

A. Yes.

Q. What is that instrument?

A. It is a breakdown of each driver, the load number, the date he left, where he went to, where he went on the whole trip.

Q. Let me ask you this, is that instrument called a load sheet is that kept by you and under your control?

[fol. 168] A. Yes, sir.

Q. Now, then, do you have such a load sheet for pro No. 954?

A. I do have.

Q. Is that in the hearing room?

A. Yes, sir.

Q. Does that sheet cover the entire transaction involving that truck and the shipments under pro No. 954?

A. Yes, sir.

Q. Now, then, let's refer to the first entry to the invoice here 954. Did you bill Fairmont Canning for this shipment?

A. Yes.

Q. And how much?

A. $483.61.

Q. Now, looking at this load sheet does it say load No. 954?

A. Yes, sir.

Q. Who was the driver?

A. Cherry and Templeton.

Q. What is the date loaded?

A. October 1, '55, Dardanelle and Springdale—December 1, '55, at Dardanelle and Springdale.

Q. What is the destination?

A. St. Paul, Minnesota.

Q. All right. Who was the load for?

A. Fox DeLuxe Foods. To that point it was a load of poultry to Fox DeLuxe, St. Paul, Minnesota.

[fol. 169] Q. Does the load sheet show how much was charged for that load?

A. Yes, sir.

Q. How much?

A. $350.

Q. Does this sheet also show whether or not 3 percent transportation tax was collected or charged?

A. Yes.

Q. How much is shown on the load sheet?

A. $10.50.

Q. All right. Then how much is the total revenue for your company transporting that shipment to St. Paul, Minnesota, as evidenced by this document?

A. $360.50.

Q. Was that shall we say the outbound movement?

A. Yes, sir.

Q. Does this load sheet show the back movement or back haul?

A. Yes, sir.

Q. What is the back haul?

A. A load from Fairmont Canning Company. He unloaded at St. Paul and went to Fairmont Canning Company at Fairmont, Minnesota, and picked up a load of frozen vegetables.

Q. Where was it to go?

A. Smith Center, Austin—

Q. For the record, where is Smith Center?

A. Smith Center, Kansas, Austin, Texas, Houston, Texas, [fol. 170] and San Antonio.

Q. All right. What is this two dollars down here?

A. That was two dollars a hundred for hauling.

Q. Now, then, what is shown over here in this dollar column which is $483.61, what is that?

A. That is two dollars a hundred times the pounds on there.

Q. Is that $483.61 the same amount shown on your invoice where you billed Fairmont Canning Company?

A. Yes, sir.

Q. I notice under the $483.61 there is a 200 there, what is that for?

A. We advanced the driver $50 to St. Paul, Minnesota. When he got back there he drawed $200 from Fairmont Canning Company and they deducted that from their bill when they paid the freight bill.

Q. What is the next item on this load sheet?

A. Mid-Central Fish, Winter Garden Processers.

Q. Where did they figure in this?

A. We delivered at Houston and San Antonio and we went from there to Winter Garden at Carrizo Springs, Texas.

Q. What happened there?

A. We picked up a load of vegetables there, frozen vegetables—

Mr. Ford: Mr. Examiner, I object at this time to the statement we picked up a load of frozen vegetables both with reference to the Fairmont shipment to points in Texas [fol. 170½] previously mentioned as well as the ones from Carrizo Springs back inasmuch as the document he is refer-

ring to, the load sheet, does not make any reference to frozen vegetables or any frozen commodities.

Exam. Cave: All right, the objection is sustained.

By Mr. Joyce:

Q. Are you familiar with the Fairmont Canning Company?

A. Yes, sir.

Q. What were they processers of?

A. Frozen foods.

Q. Do you know that this was a frozen shipment?

A. Yes, sir. At that time I dispatched the trucks myself. Every one of these was made out by me and I know definitely that Fairmont Canning Company ships only frozen foods from that particular point, and we have never hauled one pound of nothing else from Fairmont Canning Company but strictly that, brought it out from that plant and also the Carrizo Springs plant at Carrizo Springs, Texas.

Q. Is that true now of the Carrizo Springs, you say?

A. Yes, sir.

Q. Have you ever delivered anything to them that was not frozen?

A. I have not.

Q. All right, you were explaining then the rest of this shipment we are talking about 954 that involved Carrizo Springs?

[fol. 171] A. Yes, sir. This was, as you will notice, Minrath Brokerage Company.

Q. Who are they?

A. Frozen foods brokers at Kansas City.

Q. What do they deal in exclusively?

A. They deal exclusively with us on frozen fruits, berries and vegetables, frozen foods. We call them up and we will tell them we have a truck in Texas and we need a load back and they will say, "Well, I can sell a load but I can't buy it." They will tell us if we can buy it in our name, "You pay for it and we will sell it and we will pay you so much for hauling it." I got $318.35 for hauling it.

Q. As a matter of fact, isn't it true, Mr. Shaw, that brokers may not own the merchandise which they deal in?

A. That is right.

Q. Was this shipment a for hire shipment?

A. Yes, sir.

Q. Were you paid transportation on that shipment?

A. Yes, sir.

Q. As a matter of fact, you collected transportation on that shipment, did you not?

A. Yes, sir.

Q. And the balance of it did you collect and pay transportation on it?

A. Yes, sir.

[fol. 172] Q. You were next asked—oh, wait a minute—I wish you would explain on that document how you know in the trade that those items shown on there even though the word "frozen" is not on there, how do you know them to be frozen?

A. Well, in the trade 24 10-ounce is a small package of frozen foods. They do not package fresh stuff in 24 10-ounce. It's either packed in bushels or pecks or quarts. They do not package it in 24 10-ounce and 24 12-ounce, and the 12 3-pound is the institutional package.

Q. All right, sir. Next you were asked about pro 1065. The shipment is to whom?

A. Mid-Central Fish, Kansas City.

Q. In what business is Mid-Central Fish engaged?

A. They are in the frozen foods business.

Q. Do they handle anything else?

A. No, sir.

Q. Was this shipment on 1065 shipped to Mid-Central Fish?

A. Yes, sir.

Q. And they deal exclusively in frozen foods?

A. Yes, sir.

Q. Do you know then for a fact that this was a frozen commodity that went to Mid-Central Fish?

A. I definitely do.

Q. 1225, the question was asked of you on this one how you knew it was frozen. Here is a part of the underlying [fol. 173] document which is an instrument from the Winter Garden Processers. You were asked this question: "Nowhere on the typed part here does the word frozen appear."

Now, it does not, does it?

A. No, sir.

Q. Look at the code number here after 322 cases. It says code, does it not, under Grade A leaf spinach? What is that code number?

A. That is the code number of frozen food packages, LBSIC3X.

Q. Turn the page. Does the word frozen appear before leaf spinach?

A. LBSIC3X.

Q. Is that the same code number on the previous page?

A. Yes, sir.

Q. If I were to ask you the same question as to the next item which is spinach, does the same code number appear there as on the preceding page after which it says frozen?

A. Yes, sir.

Q. Now, you were handed three pros, 1290, 1329, and 1378-A, and you were asked the question how do you know or does anywhere on those documents the word frozen appear. Now, first of all on 1290, who was the merchandise shipped to?

A. Mid-Central Fish, Kansas City.

Q. As you previously testified Mid-Central Fish deals exclusively in frozen commodities?

[fol. 174] Q. What is the size opposite the commodity shown, what is in the size column?

A. 24 10-ounce, 12 3-pound, 24 3-ounce.

Q. Does that indicate to you in the business that is frozen?

A. Definitely it does.

Q. How about on 1329 here, what indicates to you on those underlying documents that the items were frozen?

A. Mid-Central Fish received 1,048 cases of vegetables. They don't handle nothing but frozen foods, so it's frozen vegetables. We didn't have to write it on there.

Q. Now what else appears on there?

A. On the Mid-Central Fish receipt it says FF merchandise, frozen food merchandise.

Q. Have they always marked their instruments in that manner?

A. Yes, sir.

Q. Now, let me ask you a question on that, was that a for hire haul or was it buy and sell?

A. Yes, sir, it was for hire.

Q. Show us why it was for hire, tell us on this particular one you can show it was for hire. I'm not going to ask you to go to each one.

A. You will notice on our book, Willis Shaw Produce load book 1329 is—

Q. Excuse me, Mr. Shaw. What are you referring to?

A. The load book.

[fol. 175] Q. Is that your load sheet?

A. Load sheet, yes, sir.

Q. Is that a record that is kept in your permanent possession and under your direction and control?

A. Yes, sir.

Q. Under load number what is the number that appears?

A. 1329.

Q. Is that the same pro number of the document you are holding in your hands which are underlying documents?

A. Yes, sir.

Q. Who is the driver?

A. Homer Templeton.

Q. The date of loading, I am talking about your load sheet.

A. March 15, '56.

Q. Can you tell us where it was picked up and where its destination was?

A. Fox De Luxe Foods, destination Houston, Texas.

Q. All right. Now, were you paid transportation for that shipment?

A. Yes, sir.

Q. How much does this show?

A. $275.

Q. Now, then, does it also show a 3 percent tax was collected from the shipper?

A. Yes, sir.

[fol. 176] Q. And how much money?

A. $8.25.

Q. And therefore that total of how much?

A. $283.25.

Q. Which you were paid?
A. Yes, sir.
Q. By whom?
A. Fox De Luxe.
Q. What happened to the rest of the load?
A. The truck went from there to Carrizo Springs and loaded at Winter Garden Processers. Prior to that when the truck got to Houston, Texas, we called the Minard Brokerage Company and told them we had a truck down here that needed a load back. They said, "We can sell it to Mid-Central Fish and you will get a dollar a hundred for hauling it." They loaded 28,590 pounds and my books showed I received $280.95 revenue.
Q. Hauling from where to where?
A. Carrizo Springs to Kansas City.
Q. Was that a frozen commodity?
A. Yes, sir, it was, to Mid-Central Fish.
Q. Let's look at 1387-A. Let me ask you this in connection with this one, do you know where the Scoby warehouse is? Have you ever heard of that?
A. That is in Carrizo Springs.
Q. What kind of warehouse is that?
[fol. 177] A. Frozen food warehouse.
Q. Were the commodities shown on this shipment of frozen foods?
A. Yes, sir.

Mr. Ford: May I ask one question in order to avoid making an objection. When you are asking the question are these products frozen foods you are asking his knowledge and not that the documents reflect that, is that correct?
Mr. Joyce: All right.

By Mr. Joyce:

Q. Scoby warehouse is located where?
A. Carrizo Springs, Texas.
Q. Does the document show on its face the commodities were stored in Scoby warehouse?
A. Yes, sir.
Q. And what kind of warehouse is the Scoby warehouse?
A. Cold storage warehouse.

Q. Were these commodities on this document stored in the Scoby warehouse?

A. Yes, sir.

Q. And it so shows it, doesn't it?

A. Yes, sir.

Q. That's not just your opinion, the bill shows it?

A. Yes, sir.

Mr. Ford: I object. The bill does not say on it anywhere the commodity stored was frozen. If he wants to make statements based on his knowledge or belief—

[fol. 178] Exam. Cave: I think the witness is testifying this is from his knowledge and not shown on the bill.

Mr. Ford: I want it clearly understood for the record it's not shown on the bill itself or the document.

By Mr. Joyce:

Q. All right, you were asked some questions about 3415 involving this shipment to Amarillo. Do you remember the questions involving that shipment?

A. I do.

Q. All right. Now, explain that shipment to us. That's pro 3415.

A. That is a load of frozen—

Q. Just a minute. Let me refresh your memory, if I may. Counsel for protestants stated that there were bills or delivery receipts for every shipment except that involved to Amarillo, Texas. Now, that's true, isn't it, but does pro No. 3830 in any way tie in with pro 3415 having to do with Amarillo, Texas?

A. Yes, it does.

Q. In what way?

A. The portion that was stored at Amarillo, Texas, 3415, was not accepted as there was doubt as to whether he ordered it or not or the customer just sent it to him, so we had to pick it up, and I have underlying documents showing it was picked up at Amarillo, Texas, and moved to Tankersley Brothers at Fort Smith, Arkansas, on pro 3830.

[fol. 179] Q. Is that the same shipment moving to Amarillo on the exhibit, pro 3415 that you then picked up and brought back to Fort Smith, Arkansas?

A. Yes, sir, it so shows on the face of it.

Q. On the face of 3415?

A. Yes, sir, it even shows Tankersley Brothers here.

Q. Tankersley Brothers being the receiver of the goods back from Amarillo to Fort Smith, right?

A. Yes, sir.

Q. Now, then, you were asked in connection with pro No. 5723 was it all fish that went to Amarillo. Now, then, will you examine those documents and state what they show? I think the question is directed to Amarillo, sir.

A. Amarillo from Seattle Seafoods to Amarillo, Texas, crabmeat, halibut, halibut steaks and breaded oysters.

Q. Now, then, did 2600 pounds of fish move from Seattle to Amarillo on pro 5723?

A. Yes, sir.

Q. In that shipment were there any other commodities?

A. Yes, sir.

Q. What were they?

Mr. Ford: Is he referring now to the Amarillo shipment?

Mr. Joyce: I am talking about the entire shipment whether any other commodities were involved in the truckload.

The Witness: Yes, sir, there is 120 30-pound sliced strawberries and 30 30-pound whole strawberries.

[fol. 180]

By Mr. Joyce:

Q. I will refer you to Page 70 of Exhibit 22 and it states that moved from several points to several points. Is that all supported by the underlying documents you have in front of you?

A. Definitely is and it shows paid—

Mr. Ford: I object to the question. The witness has stated on cross examination by me and on redirect by Mr. Joyce there were no berries, frozen fruits or vegetables that moved from this point to Amarillo.

Mr. Joyce: I didn't mean my question to read that way. He answered first 2600 pounds of fish moved from Seattle, Washington, to Amarillo, Texas, and then I asked him if there were any other commodities that moved in that truck from origin to destination.

Mr. Ford: You mean to the destination of Amarillo?
Mr. Joyce: I covered that.
Mr. Ford: I beg your pardon.

By Mr. Joyce:

Q. Someone asked you about pro 4770 with the question was it all potatoes that moved. Let's refer to that on Exhibit 22, 4770. It says a shipment on 10-22-58, from Ontario, Oregon, to Dallas, Fort Worth, Oklahoma City, and Tulsa, Oklahoma. The question was was it all potatoes that moved. What does the document show was transported in that load?

[fol. 181] A. The bill shows 200 cases of 24 ear cob corn to Dallas, Texas.

Q. Let me ask the question this way, were there commodities other than potatoes that moved in that shipment?

A. Yes, sir.

Q. And is corn one of them?

A. Yes, sir.

Q. Is anything else shown other than corn and potatoes?

A. No, sir.

Q. All right. Thank you. Here is pro 1129. Do you find a load sheet on that one?

A. Yes, sir.

Q. That's here in the hearing room?

A. Yes, sir.

Q. First of all tell me was that a for hire movement or buy and sell?

A. It was a for hire movement.

Q. Let's refer to the load sheet. First of all up here, the load number, does it say 1129?

A. Yes, sir.

Q. What is the date of loading?

A. January 1, 1956.

Q. Again who was the driver?

A. Homer Templeton.

Q. Where did the load go?

[fol. 182] A. Omaha, Nebraska.

Q. What is the charge shown on this load sheet for that haul?

A. $150.

Q. I will ask you if 3 percent tax is shown there?

A. Yes, sir.

Q. How much is it?

A. $4.50.

Q. Making a total of how much for that shipment?

A. $154.50.

Q. Was that paid to you?

A. Yes.

Q. By whom?

A. C. A. Swanson Company.

Q. For hauling that merchandise for them?

A. Yes, sir.

Q. Was that a for hire operation?

A. Yes, sir.

Q. What is the return load?

A. From Omaha the truck went to Fairmont Canning Company at Fairmont, Minnesota, and picked up 3,620 pounds for Dallas and 7,911 pounds for Little Rock.

Q. What kind of shipment was that?

A. Frozen vegetables.

Q. Was that for hire or was it buy and sell?

A. That was for hire.

[fol. 183] Q. How much were you paid for that portion of the shipment?

A. $591.92.

Q. Is there more of that load on that shipment we are talking about?

A. No, that was all.

Q. That's all of it. Was that transportation rendered under that pro number a for hire operation?

A. Yes, sir.

Q. Let's look at this one. Do you have the underlying documents for pro 2367?

A. 2367?

Q. Here. Do you need more than this document here?

A. No, sir, I think this is enough.

Q. Would you explain that load, what was its origin and destination?

A. It's from the Bateman Frozen Foods, McAllen, Texas.
Q. What do they process?
A. Frozen foods.
Q. Is that all?
A. To my knowledge that's all.
Q. What did you transport?
A. 1,084 cases of 12 2-pound cauliflower.
Q. Is that frozen cauliflower?
A. Yes, sir.
Q. And does it show on the document the tax?
[fol. 184] A. Yes, sir.
Q. What is the total that you were paid?
A. $437.69.
Q. Was that a for hire movement?
A. Yes, sir.

Mr. Ford: May we have the record reflect again, Mr. Examiner, that the documents do not show frozen?

By Mr. Joyce:

Q. Where was the load processed, where was the load picked up?
A. Bateman Frozen Foods.
Q. What do they process?
A. Frozen foods.
Q. Where did the load go?
A. It went to Merchants Refrigeration Warehouse, St. Louis, Missouri.
Q. Do they store anything other than commodities in a refrigerated warehouse?
A. We have never unloaded anything but frozen foods there and we have loads going there every week.
Q. It does say Merchants Refrigerated Warehouse at St. Louis, doesn't it?
A. Yes, sir, it does.
Q. You were asked in connection with pro 4688 my notes reveal. What else was on the load? I forget the cross examination question, but what else was on that load on 4688?
[fol. 185] A. That is the one that had the raspberry pu ee.
Q. Out of where?

A. Out of Sherwood, Oregon, to Bethany, Oklahoma. Also out of Sherwood, Oregon, to Tulsa, Oklahoma, 90 cases of boysenberries. Also out of Blue Lake Packers at West Salem, Oregon, to Nuway Frosted Foods, Oklahoma City, Oklahoma, 100 cases of 30 pound rhubarb. Also out of North Pacific Canners and Packers, Portland, Oregon, to Nash & Finch in Oklahoma City, 40 cases of 12 two and a half pound mixed vegetables and 25 cases of 12 two and a half pound baby lima beans.

Q. Let me ask you this, was the rest of the shipment frozen fruits, vegetables or berries?

A. Yes, sir, frozen fruits, berries and vegetables.

Q. Incidentally, was that a for hire movement?

A. Yes, sir.

Q. Now, then, let's look at 6937. You were asked the question is all you move out of Prosser, Washington, puree of some kind?

A. Yes, sir, I was.

Q. What else comes out of Prosser that you transport?

A. Frozen fruits, berries and vegetables.

Mr. Brooks: I object unless counsel can prove it.

By Mr. Joyce:

Q. Let's look at No. 4305, for example. Is that a shipment from Prosser, Washington, or was that shipment picked up in Prosser?

A. Yes, sir.

[fol. 186] Q. What was it?

A. Prosser, Washington, May the 29th, 1958, at Andrews Cold Storage, 800 cases 24 10-ounce fresh peas, 13,600 pounds. Also it says frozen foods zero temperature to be maintained en route.

Q. That's frozen peas out of Prosser?

A. Yes.

Q. Let's look, just for example, at pro No. 3714, what is that shipment, where is it from, where did it go and what is the commodity?

A. That is Prosser, Washington, to Crossett, Arkansas.

Q. What moved from Prosser, Washington, by that pro number to Dardanelle, Arkansas?

A. Frozen carrots.

Mr. Brooks: Mr. Examiner, I am going to move that the answer be stricken. There's nothing on the document that shows frozen. It shows 60 pound bags of carrots.

By Mr. Joyce:

Q. Where was this picked up, do you know, sir?
A. It was picked up at Prosser, Washington.
Q. Where?
A. At the cold storage there at Prosser. I definitely dispatched this load myself. I took the order and I have got it in the book and it shows it in my writing that I dispatched the truck and I took the load.

Exam. Cave: The question was whether the documents you have in your hand shows it frozen.

[fol. 187] By Mr. Joyce:

Q. Does it show it, Mr. Shaw?
A. No, sir.
Q. How do you know it was a frozen shipment?
A. Fox De Luxe Foods does not buy carrots in any way, shape or form except frozen. They buy them in 60-pound bags and they are individually frozen just like corn so they can take out a handful of them and put on each dinner.
Q. Now, let's look at another one, 1752. Is that a shipment from Prosser, Washington?
A. Yes, sir.
Q. To?
A. Dardanelle, Arkansas.
Q. What is it?
A. Peas.
Q. Is that a frozen item?
A. Yes.

Exam. Cave: Does the document show it as a frozen item?
The Witness: Frozen peas on this right here.

By Mr. Joyce:

Q. Is that on the check where you were paid?
A. Yes, sir.

Q. This was back in '56?
A. Yes, sir.
Q. Was that a for hire shipment?
A. Yes, sir.
Q. Did the shipper pay you the tax?
[fol. 188] A. Yes, sir.
Q. The transportation tax?
A. Yes, sir.
Q. Let's take 1662. What is that?
A. That is from Prosser, Washington, to Dardanelle, Arkansas, freight on 700 cases of peas.
Q. Did you collect not only the transportation on that shipment but the transportation tax?
A. Yes, sir.
Q. For a total of how much?
A. $749.84.
Q. How do you know that is frozen?
A. On the check stub it says Fox De Luxe Foods, frozen peas.
Q. You were asked, sir, some questions about pro No. 1093. First of all, there is a blue type paper and under invoice 1093 is does say sold to Mid-Central Fish, does it not?
A. Yes, sir.
Q. Do you have a load slip on that one?
A. Yes.
Q. All right. Let's refer to the load slip.
Now, then, on the blue statement here does your driver's name appear on there?
A. Yes, sir.
Q. Did he sign that?
A. Yes, sir.
[fol. 189] Q. On the load sheet under 1093 what driver is shown?
A. Brenner and Lee Sparks.
Q. What is the date of loading of that?
A. January the 9th of '56.
Q. Where was it destined, what is the destination of the load?
A. Sacramento, California.
Q. For whom?

A. C. A. Swanson & Sons.

Q. Is there shown to be any transportation charge?

A. $865.62.

Q. Down two lines opposite transportation tax is there an entry shown there?

A. Yes, sir, $25.97.

Q. What is the total?

A. $891.59.

Q. Were you paid that amount?

A. Yes, sir.

Q. By whom?

A. C. A. Swanson & Sons.

Q. Was that a for hire movement?

A. Yes, sir.

Q. What is the rest of the load?

A. The rest of the load was a load of frozen foods from Santa Clara, California.

Q. To whom?

[fol. 190] A. And—

Q. I am sorry, go ahead.

A. Placer Packing Company at Sanger, California, California Frozen Foods at Modesto, California, to Kansas City, Missouri, to Mid-Central Fish.

Q. Explain the rest of the items there if you will.

A. Our truck was in Sacramento, California, and we called Minrath Brokerage Company in Kansas City and told them we had a truck out there and if they could arrange for a load back and they said they could load our truck at Modesto, Santa Clara and I believe the other point was Sanger with a load back to Mid-Central Fish.

Mr. Brooks: I object and move to strike what Minrath Brokerage said. It is obviously hearsay.

Exam. Cave: I will sustain the objection.

By Mr. Joyce:

Q. Go ahead.

A. And they arranged for the load to Mid-Central Fish and our revenue for it was $230 for one portion, $219 for another portion, $461.70, making a total of $910.70.

Q. Is that what you were paid for bringing that shipment from California to Kansas City?

A. Yes.

Mr. Brooks: I am going to object to what they were paid unless he has underlying documents here in the way of freight bills to show that the Willis Shaw Truck Com-
[fol. 191] pany actually collected from the shipper or the consignee on that. The documents indicate that the commodity was bought by Willis Shaw Produce Company and sold by Willis Shaw Produce Company.

Mr. Joyce: Mr. Examiner, that is the purpose of this redirect examination, is to go to these load sheets which Mr. Shaw testifies he keeps and they are in his own writing, and he has testified he did the dispatching, and he is testifying as to what he was paid.

Exam. Cave: Well, they are available for inspection?

Mr. Joyce: They have been here since yesterday afternoon.

Exam. Cave: Of course, I couldn't expect protestants' counsel to go through that great big book to check those things against the underlying documents.

By Mr. Joyce:

Q. Then were you paid for transporting that shipment?

A. Yes.

Q. In reference to Exhibit No. 21, I believe it was Mr. Matthews made the statement that after all that exhibit practically shows only origins from your home area. Do you remember that statement?

Mr. Matthews: I challenge the record on that. I think the applicant himself made that statement in response to a question.

Exam. Cave: Well, the record will speak for itself and the exhibit speaks for itself.

[fol. 192] By Mr. Joyce:

Q. He was particularly calling your attention to a shipment here on Page 30, 3904. Just turning over here let's get out of the State of Arkansas, for example. As far as

origins are concerned, and look at Page 37, what are some of the origin points shown there?

Mr. Brooks: Mr. Examiner, I am going to object to it as immaterial unless the particular movements are tied in with movements of fruits, berries and vegetables. I think as far as the poultry movements are concerned per se they mean absolutely nothing in this proceeding.

Mr. Joyce: My only purpose on this point from my memory the statement was made that by and large Exhibit No. 21 only showed shipments from his area.

Mr. Ford: Furthermore it's immaterial if they showed origins over the entire state inasmuch as Mr. Shaw has testified it's all poultry.

Exam. Cave: I think it's immaterial.

By Mr. Joyce:

Q. On 4037 reference was made to potato patties. Is that a potato product?

A. Yes, sir.

Exam. Cave: Is it cooked?

The Witness: It's blanched the same as other potatoes are and your corn.

Exam. Cave: Is that all you have?

Mr. Joyce: No, sir.

[fol. 193] By Mr. Joyce:

Q. You were also asked the question in connection with Exhibit No. 7 that what underlying documents in the hearing room to show checks payments of any transportation tax. Here in the last 15 minutes have I mentioned some underlying documents, namely, your invoices where the tax is shown to be collected and paid?

A. Yes, sir.

Q. And you have testified to those?

A. Yes, sir.

Q. I may have asked you this question before, but I will ask you once more. In transporting these so-called potato products do you or not consider them as falling within the classification of frozen vegetables?

A. Yes, sir.

Mr. Brooks: I object it is immaterial as to what the witness considers them. I think it's a matter for the Commission and possibly the courts to make that determination.

Exam. Cave: Objection overruled. The question has been answered?

Mr. Joyce: Yes, sir.

The Witness: Yes, sir.

By Mr. Joyce:

Q. Mr. Shaw, one final question, I think. If the authority requested under this application is granted to you, do you agree to abide by the Rules and Regulations of the Commission as far as insurance, the filing of tariffs, and so on? [fol. 194] A. Yes, sir.

OFFERS IN EVIDENCE

Mr. Joyce: At this time I would like to offer into evidence Exhibits 1 through 22, please, sir

Mr. Matthews: We have certain objections.

Mr. Ford: Mr. Examiner, first I would like to object to Exhibit 21 in its entirety on the ground it's immaterial to this particular application as the witness himself has stated on the witness stand that the documents contained therein apply virtually entirely to whole shipments of chickens, poultry, various types of poultry without any mixture or anything of that nature. The sole purpose of it being to show the truck was out somewhere else which we maintain is immaterial, and the placing in evidence of a document containing I don't know how many pages but I would estimate over a hundred pages purporting to show shipments of frozen poultry is completely immaterial to this particular hearing.

I have another one I want to make, Mr. Examiner, but I would like to get in order before I make it.

Mr. Joyce: May I reply to these objections? I have a point to make.

Exam. Cave: Let them finish first.

Mr. Joyce: All right, sir.

OBJECTIONS TO EXHIBITS AND RULING THEREON

Mr. Brooks: Insofar as Exhibit No. 1 is concerned, Mr. Examiner, there is one statement in the third paragraph on Page 1 that I feel is objectionable, starting with the last [fol. 195] sentence in the third paragraph, "From 1948 until in 1954 these frozen commodities as well as the fresh commodities were transported in mixed shipments in interstate commerce both for hire and buy and sell for the produce company to and from every state in the union," I think that the characterization or the indication the transportation was performed to and from every state in the union without underlying documents is objectionable. I would object to that portion and ask that that last phrase, "to and from every state in the union," be stricken from the exhibit.

I would object to Exhibit No. 10 for the reason that it does not properly characterize the application as filed by applicant or as shown in the Federal Register, published in the Federal Register, or as shown in the hearing notice setting this matter for pre-hearing conference along with other applications. I think it's immaterial and actually means nothing as far as this proceeding is concerned.

I object to Exhibit No. 21 for the reasons as stated by Mr. Ford.

I object to Exhibit No. 20 showing shipments of frozen fish inasmuch as the commodities listed on the exhibit are outside of the scope of the application, and further that it contains many straight loads of fish that have no bearing on the issues in this proceeding.

Exam. Cave: Any other objections?

[fol. 196] Mr. Matthews: I will join those objections, and referring to Exhibit 7, the testimony of the witness shows that the figures contained in Exhibit 7 were arrived at by a study of checks paid to various government agencies. While that is quite true there are invoices in the hearing which show the payment of some taxes, and I have no objection to that testimony, but these particular figures were not arrived at by a study of, or an addition of the figures shown on those invoices. The documents which were used are not here and not available for cross examination.

Now, furthermore, I think that this is immaterial because Mr. Shaw has testified that he has operated throughout the United States. There are only 35 states involved in this application and Exhibit 7 does not show any origins and destinations. It's impossible to tell how much of this transportation was performed from and to points involved in this application.

Now, I am going to object to Exhibit 20 and 21 on the basis previously stated, and more particularly that both of them involve the transportation of commodities which if transported as straight loads of presently exempt commodities which transported in mixed loads are outside of the scope of this application as published in the Federal Register. In either event both the entire Exhibits 20 and 21 are totally irrelevant and immaterial to any issue in this proceeding.

Furthermore with respect to Exhibit 20 there has been [fol. 197] in my opinion no clear showing by proper supporting documentary evidence there was in fact a mixture of any shipments of fish with any shipment shown on Exhibit 22 in the same vehicle at the same time.

Mr. Joyce: First of all in reply to the objections in connection with Exhibit No. 21, I feel that this exhibit is relevant for the reason that as the testimony shows there is a holding out of service by virtue of the fact that this applicant states he has transported these commodities shown in Exhibit 1 to certain destinations and that the pro numbers follow those commodities back. I think that holding out is very important because the courts decided that case, I believe, in United States versus Carolina Trucking. Insofar as the statement on Exhibit No. 1, "to and from every state in the union," granted that the application covers 35 states and I, of course, would not be objectionable to amending that part to include the states covered in the instant application, but I do think the statement of the president of the applicant is relevant to show the scope and extent of his operations.

Insofar as replying to the objections to Exhibit No. 10, to me it seems like begging the question a little bit when you say between points and places rather than as the ap-

plication says from the 35 states to the same 35 states, and in that connection I want to make our position very clear the applicant is relying upon only from the states involved [fol. 198] to the states involved and the commodities. I certainly differ with protestants on the objection to Exhibit 20 showing no mixture of shipments with fish and poultry because the underlying documents show such mixing of shipments.

Exhibit 7 being the transportation exhibit the applicant has testified that transportation tax was paid. That is one of the elements we feel that is necessary or is pertinent to his proof on the proving of for hire transportation. Not only that but in the hearing room were certain load sheets as well as invoices where clearly it was shown that the tax was collected and paid. I feel that every exhibit here is a very material part of this case and should be admitted into evidence, and I again offer them into evidence.

Exam. Cave: The sentence in the third paragraph of Exhibit 1 to which Mr. Brooks objected to, the objection is sustained to that part. In other words, I understand it to be a motion to strike.

Mr. Brooks: Yes, sir.

Exam. Cave: I will grant the motion, and while the Exhibit 10 does not in my opinion state the scope of the application particularly since it indicates there would be a cross haul to points in all of those states, I see no objection to it since the application as published in the Federal Register governs the scope of the application. I will receive it in evidence.

Exhibit No. 21 is rejected. All of the other exhibits are [fol. 199] received in evidence.

(Applicant's Exhibits Nos. 1 through 20, and No. 22, Witness Shaw, were received in evidence.)

(Applicant's Exhibit No. 21, Witness Shaw, was rejected.)

Exam. Cave: Is there anything further to be presented?

Mr. Joyce: No, sir, not by the applicant.

(Witness excused.)

Mr. Brooks: May I inquire of the Examiner as to this late-filed exhibit?

Exam. Cave: Yes, sir, I will fix the time.

Mr. Brooks: Yes, sir.

Exam. Cave: How long do you need to get that in to the Commission?

Mr. Brooks: I would judge two weeks would be ample time, Mr. Examiner.

Exam. Cave: All right.

Mr. Joyce: And in case that I desire to file replies or a late-filed exhibit myself, sir, how much time may I be granted?

Exam. Cave: I understood that you wanted to perhaps do it at the same time.

Mr. Joyce: Well, all right. Then let me state that it will be impossible for me to do it in two weeks' time because I will be here in Dallas all of this week and New Orleans all next week.

Exam. Cave: Do you prefer to wait to see his exhibit [fol. 200] before you decide whether you want to file one?

Mr. Joyce: I would like to do that, yes, sir, if I may be extended the opportunity to file one then if I so desire.

Mr. Brooks: May I suggest about ten and ten, then?

Exam. Cave: Off the record.

(Discussion off the record.)

Exam. Cave: Back on the record.

All right, the late-filed exhibits to be submitted by Mr. Joyce and Mr. Brooks are due on or before November 25th, 1960. That's understood now. Is there any question?

There being nothing further to be presented, the hearing is closed.

(Whereupon, at 6:30 p.m., the hearing in the above-entitled matter was closed.)

[fol. 201] EXHIBIT No. 1

GENERAL HISTORY OF OPERATION

My name is Willis D. Shaw and my business address is Elm Springs, Arkansas. I am President of Willis Shaw Frozen Express, Inc., of Elm Springs, Arkansas. My com-

pany was organized as a corporation under the laws of the State of Arkansas in May, 1958. The other officers of the corporation are, Helen Lorene Shaw, Secretary-Treasurer, and John G. Wirsig, Vice-President. I am familiar and active with the organization and business of Willis Shaw Frozen Express. Inc., both from an administrative and operational stand point.

In 1938 I began operating a trucking business as an individual. I transported in interstate commerce fresh fruits and vegetables and live poultry. I transported in interstate commerce these items from 1938 to 1948. During this time these commodities were transported from points and places in Arkansas, Georgia, Delaware, Maryland, Indiana, Missouri, Oklahoma, Kansas and Texas to points and places in Illinois, Minnesota, Michigan, Iowa, Florida, Oklahoma, Louisiana, New York, Colorado, Ohio, Georgia, Pennsylvania, Nebraska, Alabama, Mississippi, California, New Mexico, South Dakota, Texas, Arizona, Kentucky and Wisconsin. The transportation rendered was both for hire and buy and sell. During that time I operated approximately twenty tractors and trailers.

In 1948 my business changed from that of an individual to a partnership of Willis D. Shaw and Ellis Bogan d/b/a Willis Shaw Produce Co. From 1948 to May of 1958, the business operated under the partnership name. In 1948, in addition to the commodities named above, we began transporting frozen fruits, frozen berries, frozen vegetables, frozen poultry and frozen fish. From 1948 until in 1954 these frozen commodities as well as the fresh commodities were transported in mixed shipments in interstate commerce both for hire and buy and sell for the produce company to and from every state in the union.

From 1948 the partnership was transporting the commodities outlined in the preceding paragraph's and on October 1, 1957, an interim Permit No. MC-115971 was issued by the Interstate Commerce Commission to the partnership as a contract carrier to transport frozen poultry and frozen foods. This interim permit was, on June 2, 1958, changed to that of a certificate as a common carrier to the partnership. On October 23, 1958, No. MC-FC 61586-A the

Interstate Commerce Commission approved the transfer of [fol. 202] the authority held by Willis Shaw Produce Co., a partnership, to Willis Shaw Frozen Express, Inc.

Since 1948, my company has been rendering transportation services in the transportation of frozen fruits, frozen berries, frozen vegetables, frozen poultry, frozen fish as well as certain exempt items as set out in the Commission's Administrative Ruling No. 107 in straight and mixed shipments, and frozen foods with these last mentioned commodities since 1957, and we are presently rendering this same type of service.

Since I started in the transportation business we have obtained from all of the states into and through which we have operated and are presently operating each states permit or certificate as may be required.

Communications

My company has four long distance lines, two private line telephones and the Bell System National Teletypewriter. We maintain daily telephone contact with each truck that is on route to or from destination. Also permanent check points along the routes are maintained at fuel stops, which system allows my company the ability to have daily contact with the equipment and also assures us of the ability to contact drivers at any fuel stop in route at any time during the day or night. With the central control of our communication system in our general office in Elm Springs, Arkansas, immediate dispatching, diversion or reconsignment of equipment may be made.

General Office and Terminal Facilities

The general office and terminal facilities of my company are located in Elm Springs, Arkansas. We employ approximately eight persons in the general office building. We employ approximately twelve full time mechanics in our garage and terminal. We also employ approximately one hundred drivers. In the garage-terminal our facilities are such that complete maintenance of both tractors, trailers and refrigeration equipment is carried out. Each piece of

equipment is given complete mechanical and maintenance inspection after the return of each trip. In our parts department we keep on hand not only the smaller parts which may be needed, but there is always on hand new or rebuilt engines, transmissions, rear ends and refrigeration units which may be installed immediately if needed, thereby causing no delay in the equipment movement.

[fol. 203]

EQUIPMENT

Willis Shaw Frozen Express, Inc. operates the equipment indicated by the equipment lists, Exhibit No. ..... and ..... .

Of the equipment shown on Exhibits ..... and ..... seven tractors and seven trailers are leased to my company. The leased equipment, as indicated, is leased from a owner-operator and such leases are on a long term basis. The record of turn over, insofar as the leased operators are concerned, is relatively low. The leased operators have been with my company on an average of three years. We now comply, and if this authority is granted, will comply with the Interstate Commerce Commission leasing rules.

DESCRIPTION OF EQUIPMENT

With the exception of eight small pieces of equipment, the tractors which we operate are diesel powered, and are all five axle rigs, all of which have sleeper cabs of the factory type. These sleeper cabs are a mandatory part of the truck equipment, since we are a two man operated line through out. In order to comply with Interstate Commerce Commission rules of service regulations and because of the destinations involved and to furnish the service which the shippers require, the two man operation is absolutely essential.

The trailers which we operate are mostly 35 to 40 feet in length. Thirty of our trailers are equipped with double king-pins, which because of various state length requirements can be used in any state involved in this application. All of the trailers which we have are insulated from four to six inches in the floor, sides and roof. The floors

are cross air flow type ventilation. The sides are all stripped so as to provide side ventilation. All of our trailers are equipped with mechanical refrigeration units which are capable of maintaining, controlled, sustained temperatures ranging from minus .20 to plus 70 degrees regardless of what the outside weather conditions are. All of our trailers have two doors, one on the side and one in the rear.

Financial Statement

The balance sheet and profit and loss statement for the period ending August 31, 1960, Exhibit No. ....., was prepared under my supervision and control. Both the balance sheet and profit and loss statement are true and correct.

[fol. 204]

Safety Program

Insofar as the equipment is concerned, records are kept and maintained so that each piece of equipment is checked every trip to make certain that all of the safety requirements of the Interstate Commerce Commission are complied with. Insofar as the drivers are concerned, we have a Safety Director Officer who supervises the drivers insofar as safety is concerned. Every driver seeking employment with my company completes a written application and is interviewed by our Safety Director. Upon filing his written application, the applicant is given various driving examinations to determine his familiarity with safe driving practices and driving judgment. In the event that his application and examinations are satisfactory, he is given a physical examination by our company doctor. In this connection we require that our drivers have an Interstate Commerce Commission physical once every two years. If the applicant passes all of the tests, both written, driving and physical, he is then given a road check on a short distance basis and if this is passed he is then eligible to be hired on a probationary basis of one month. Any new driver in our company must work as helper-employee driver for a period of one year before he is ever placed in direct charge of any piece of equipment.

Tariffs

Since the granting of the first authority by the Interstate Commerce Commission to Willis Shaw Produce Co., up to the present time we have had and do have on file tariffs covering frozen fruits, frozen berries, frozen vegetables, and frozen poultry and poultry parts, frozen fish and seafood, including fish or seafood pies, meals and dinners, and frozen foods. My company is a member of the Perishable Tariff Bureau and at the present time I am President of Perishable Tariff Bureau.

Liability Insurance

My company has on file with the Interstate Commerce Commission a current Certificate of Public Liability and Property Damage Insurance. We also have designated agents of service in each state into or through which we operate as mentioned in this application.

[fol. 205]

EXHIBIT NO. 2
(3-19-1954)

[fol. 205]

EXHIBIT NO. 2
(3-19-1954)

EXHIBIT No. 2 (3-19-1954)

ADVERTISEMENT 1954

Willis Shaw Ellis Bogan

Specializing in

REFRIGERATED TRANSPORTATION

Our
OPERATING REFRIGERATED UNITS
are

100% DIESEL POWERED 100% THERMO KING

Fast, Dependable Service on
POULTRY, EGGS, FRUITS AND VEGETABLES

Complete Insurance Coverage

WILLIS SHAW PRODUCE CO.

ELM SPRINGS ARKANSAS

Phones:
Plant, Adams 5-3610 Res., Springdale 2961

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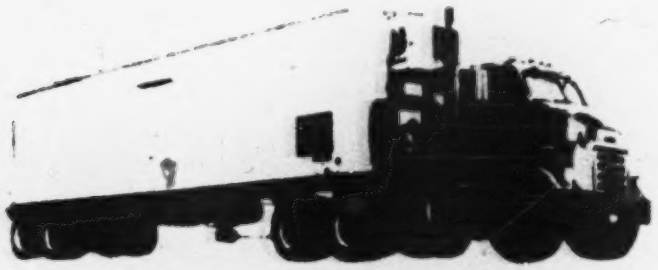
WILLIS SHAW ELLIS BOGAN

1955

Specializing in

REFRIGERATED TRANSPORTATION

OPERATING 29 REFRIGERATED UNITS



100% DIESEL POWERED

100% THERMO KING

Fast, Dependable Service on

POULTRY, EGGS FRUITS AND VEGETABLES

Complete Insurance Coverage

WILLIS SHAW PRODUCE CO.

ELM SPRINGS Phones: Plant Adams 5-3610 — Res., Springdale 2961 ARKANSAS

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[fol. 207]

EXHIBIT No. 4

167

[fol. 208]

Exhibit No. 5 (1957)

[fol. 209]

EXHIBIT No. 6

APPENDIX

OCTOBER 1, 1957

No. MC 115971

WILLIS SHAW AND ELLIS BOGAN, A PARTNERSHIP,
DOING BUSINESS AS WILLIS SHAW PRODUCE CO.,
ELM SPRINGS, ARKANSAS

By order of which this appendix is a part, entered in the above-numbered proceeding, the above-named applicant is authorized to engage in the business of transportation by motor vehicle, in interstate or foreign commerce as a motor contract carrier, for 180 days from the date hereof, as follows:

IRREGULAR ROUTES:

Frozen poultry and *frozen foods*,

From Little Rock, Ark., and points in that part of Arkansas on, north, and west of a line beginning at the Arkansas-Oklahoma State line and extending along Arkansas Highway 22 through Fort Smith to Dardanelle, thence along Arkansas Highway 7 to Harrison, thence along U. S. Highway 65 to the Arkansas-Missouri State line to points in California, Colorado, Arizona, Nevada, New Mexico, Oregon, Washington, and Idaho, and

Empty containers used in transporting frozen poultry and frozen foods,

From the above-specified destination points to the described origin points.

RESTRICTION: The authority herein granted is subject to the condition that Willis Shaw and Ellis Bogan,

individually or jointly, shall not engage in operations as a private carrier.

The operations authorized herein are limited to a transportation service to be performed, under a continuing contract for the following shippers:

Fox Deluxe Foods, Inc., Springdale, Ark., Campbell Soup Company, Camden, N. J., Armour & Company, Chicago, Ill.

WILLIS SHAW FROZEN EXPRESS, INC.
MC-117119

PAYMENT OF TRANSPORTATION TAX TO U. S. GOVERNMENT BY QUARTERS (1956 THROUGH JULY, 1958) BY WILLIS SHAW PRODUCE CO. AND WILLIS SHAW FROZEN EXPRESS, INC.

[fol. 210]

EXHIBIT No. 7

PARTNERSHIP

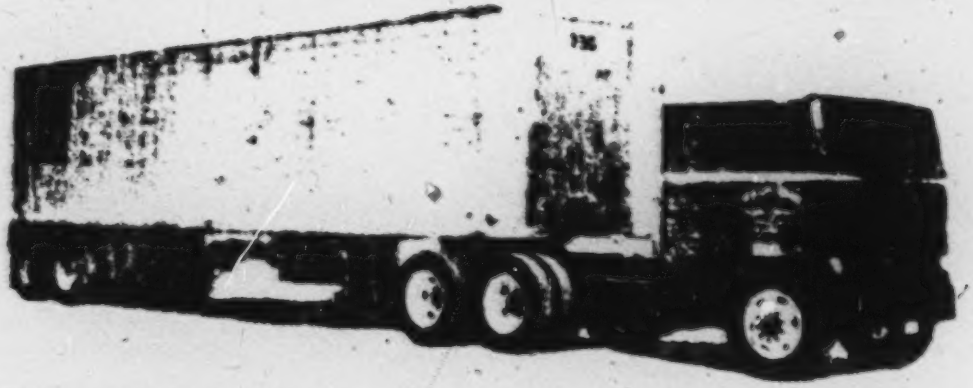
DATE PAID	[illegible]	YEAR	AMOUNT
4-24-56	1ST	1956	$ 5,[illegible]4.80
7-25-56	2ND	1956	7,284.27
10-23-56	3RD	1956	7,930.36
1-29-57	4TH	1956	8,562.82
4-26-57	1ST	1957	7,789.18
7-27-57	2ND	1957	9,576.81
10-25-57	3RD	1957	9,162.21
1-30-58	4TH	1957	8,564.67
4-28-58	1ST	1958	8,748.28
6-30-58	APRIL - MAY	1958	6,600.22

CORPORATION

6-30-58	JUNE	1958	3,178.63
10-23-58	JULY (FINAL)	1958	2,804.55
			$86,126.80

210

YOUR FROZEN FOODS WILL NEVER THAW WHEN YOUR TRUCKER IS WILLIS SHAW



COMMON CARRIER I.C.C. MC-117119

SHAW SERVICE Dependable (Complete Insurance Coverage)

SHAW EQUIPMENT 35 modern refrigerated units, 100% diesel powered (2-man operation)

POULTRY · FRUITS · VEGETABLES · EGGS

WILLIS SHAW Frozen Express Inc.

ELM SPRINGS ARKANSAS

Phones Plant ADams 5-3610 Res. SPringdale 2961

[fol. 211]

EXHIBIT No. 8

172

WILLIS SHAW FROZEN EXPRESS, INC.

EQUIPMENT LIST

May 1, 1958

APPENDIX A

TRAILERS

YEAR	MAKE	LENGTH	INSULATION	REFRIGERATION EQUIPT.	TYPE OF AXLE
1954	Trailmobile	35'	Insulated	Thermo King	West Coast Tandem
1954	Trailmobile	35'	Insulated	Thermo King	West Coast Tandem
1954	Andrews	35'	Insulated	Thermo King	West Coast Tandem
1955	Andrews	35'	Insulated	Thermo King	West Coast Tandem
1955	Andrews	35'	Insulated	Thermo King	West Coast Tandem
1955	Andrews	35'	Insulated	Thermo King	West Coast Tandem
1955	Trailmobile	35'	Insulated	Thermo King	West Coast Tandem
1955	Trailmobile	38'	Insulated	Thermo King	West Coast Tandem
1955	Trailmobile	35'	Insulated	Thermo King	West Coast Tandem
1955	Trailmobile	35'	Insulated	Thermo King	West Coast Tandem
1955	Trailmobile	38'	Insulated	Thermo King	West Coast Tandem
1955	Trailmobile	35'	Insulated	Thermo King	West Coast Tandem
1955	Trailmobile	35'	Insulated	Thermo King	West Coast Tandem
1955	Trailmobile	38'	Insulated	Transicold	West Coast Tandem
1956	Trailmobile	38'	Insulated	Transicold	West Coast Tandem
1956	Trailmobile	38'	Insulated	Transicold	West Coast Tandem
1956	Trailmobile	35'	Insulated	Transicold	West Coast Tandem
1956	Dorsey	36'	Insulated	Willcool	West Coast Tandem
1957	Trailmobile	38'	Insulated	Transicold	West Coast Tandem
1957	Trailmobile	38'	Insulated	Transicold	West Coast Tandem
1957	Trailmobile	38'	Insulated	Transicold	West Coast Tandem
1957	Trailmobile	38'	Insulated	Transicold	West Coast Tandem
1957	Trailmobile	38'	Insulated	Transicold	West Coast Tandem
1957	Trailmobile	38'	Insulated	Transicold	West Coast Tandem
1957	Trailmobile	38'	Insulated	Transicold	West Coast Tandem
1957	Trailmobile	38'	Insulated	Transicold	West Coast Tandem
1955	Trailmobile	34'	Insulated	Thermo King	West Coast Tandem
1955	Trailmobile	35'	Insulated	Transicold	West Coast Tandem
1956	Trailmobile	38'	Insulated	Transicold	West Coast Tandem
1956	Trailmobile	38'	Insulated	Transicold	West Coast Tandem
1956	Trailmobile	38'	Insulated	Transicold	West Coast Tandem
1956	Trailmobile	35'	Insulated	Transicold	West Coast Tandem
1957	Trailmobile	35'	Insulated	Transicold	West Coast Tandem

[fol. 212]

EXHIBIT No. 9

WILLIS SHAW FROZEN EXPRESS, INC.
EQUIPMENT LIST

May 1, 1958

APPENDIX A

TRACTORS

YEAR	MAKE	TYPE OF ENGINE	NO. AXLE	BODY STYLE
1955	Diamond - T	Cummins - Diesel	3	Tractor
1955	Diamond - T	Cummins - Diesel	3	Tractor
1955	International	Cummins - Diesel	3	Tractor
1956	Diamond - T	Cummins - Diesel	3	Tractor
1953	Mack	Mack - Diesel	3	Tractor
1956	Mack	Mack - Diesel	3	Tractor
1954	Diamond - T	Cummins - Diesel	3	Tractor
1956	White	Cummins - Diesel	3	Tractor
1954	White	Cummins - Diesel	3	Tractor
1957	Diamond - T	Cummins - Diesel	3	Tractor
1957	Mack	Mack - Diesel	3	Tractor
1957	Mack	Mack - Diesel	3	Tractor
1957	Mack	Mack - Diesel	3	Tractor
1957	Mack	Mack - Diesel	3	Tractor

[fol. 213]

YEAR	MAKE	KIND OF ENGINE	NO. AXLES	BODY STYLE
1955	Diamond - T	Cummins - Diesel	3	Tractor
1955	Diamond - T	Cummins - Diesel	3	Tractor
1955	International	Cummins - Diesel	3	Tractor
1956	Diamond - T	Cummins - Diesel	3	Tractor
1953	Mack	Mack - Diesel	3	Tractor
1956	Mack	Mack - Diesel	3	Tractor
1954	Diamond - T	Cummins - Diesel	3	Tractor
1956	White	Cummins - Diesel	3	Tractor
1954	White	Cummins - Diesel	3	Tractor
1957	Diamond - T	Cummins - Diesel	3	Tractor
1957	Mack	Mack - Diesel	3	Tractor
1957	Mack	Mack - Diesel	3	Tractor
1957	Mack	Mack - Diesel	3	Tractor
1957	Mack	Mack - Diesel	3	Tractor
1957	White	Cummins - Diesel	3	Tractor
1957	White	Cummins - Diesel	3	Tractor
1957	White	Cummins - Diesel	3	Tractor
1957	White	Cummins - Diesel	3	Tractor
1957	Diamond - T	Cummins - Diesel	3	Tractor
1957	White	Cummins - Diesel	3	Tractor
1957	White	Cummins - Diesel	3	Tractor
1956	Auto-Car	Cummins - Diesel	3	Tractor
1958	White	Cummins - Diesel	3	Tractor
1958	White	Cummins - Diesel	3	Tractor
1957	White	Cummins - Diesel	3	Tractor
1957	Diamond - T	Cummins - Diesel	3	Tractor
1958	White	Cummins - Diesel	3	Tractor

[fol. 213]

to engage in transportation in interstate or foreign commerce as a motor carrier; and the Commission so finding;

It Is Ordered, That the said carrier be, and it is hereby, granted this Certificate of Public Convenience and Necessity as evidence of the authority of the holder to engage in transportation in interstate or foreign commerce as a common carrier by motor vehicle; subject, however, to such terms, conditions, and limitations as are now, or may hereafter be, attached to the exercise of the privileges herein granted to the said carrier.

It Is Further Ordered, and is made a condition of this certificate that the holder thereof shall render reasonably continuous and adequate service to the public in pursuance of the authority herein granted, and that failure so to do shall constitute sufficient grounds for suspension, change, or revocation of this certificate.

It Is Further Ordered, That the transportation service to be performed by the said carrier in interstate or foreign commerce shall be as specified below:

Irregular Routes:

Frozen poultry and *frozen foods*,

From Little Rock, Ark., and points in Arkansas on, north, and west of a line beginning at the Arkansas-Oklahoma State line and extending along Arkansas Highway 22 through Fort Smith to Dardanelle, thence along Arkansas Highway 7 to Harrison, thence along U. S. Highway 65 to the Arkansas-Missouri State line to points in California, Colorado, Arizona, Nevada, New Mexico, Oregon, Washington, and Idaho; and

Empty containers used in transporting frozen poultry and frozen foods,

From the above-specified destination points to the described origin points.

RESTRICTION: The authority granted herein is subject to the condition that Willis Shaw and Ellis Bogan, individually or jointly, shall not engage in operations as a private carrier.

[fol. 216] AND IT IS FURTHER ORDERED, That this certificate shall supersede Interim Permit No. MC 115971, issued March 31, 1958, as modified, and that said interim permit be, and it is hereby, canceled.

By the Commission, division 1.

HAROLD D. McCOY,
Secretary.

(SEAL)

*This certificate embraces the operating rights in the interim permit superseded and canceled in the last ordering paragraph above. Modifying order dated January 7, 1958, which became effective May 6, 1958, authorized the issuance of a certificate, and docket No. MC 117119 has been assigned thereto.

[fol. 217] EXHIBIT No. 12

ORDER

At a Session of the INTERSTATE COMMERCE COMMISSION, The Transfer Board, held at its office in Washington, D. C., on the 23rd day of October A. D. 1958

No. MC-FC 61586-A*

WILLIS SHAW FROZEN EXPRESS, INC.,
ELM SPRINGS, ARKANSAS,
PURCHASER
AND
WILLIS SHAW AND ELLIS BOGAN, A PARTNERSHIP,
DOING BUSINESS AS WILLIS SHAW PRODUCE CO.,
ELM SPRINGS, ARKANSAS,
SELLER

The matter of application for substitution being under consideration:

It appearing, That application in the above-entitled matter having been made in accordance with rules and regulations prescribed by the Commission under Section 212(b) of the Interstate Commerce Act, for approval of the substitution of the above-named purchaser as applicant for the operating rights referred to in the appendix hereto;

It further appearing, That the proposed transaction is not subject to Section 5 of the Act and will not result in unlawful ownership or control of a motor carrier and that said purchaser is fit, willing, and able properly to perform the service applied for and to conform to the provisions of said Act and the requirements, rules, and regulations thereunder;

It is ordered, That the substitution of the above-named purchaser as applicant for the operating rights referred to in said appendix be, and it is hereby, approved subject to the same terms and conditions as specified in the order to which this is appended and made a part as subdivision "A" thereof.

It is further ordered, That nothing herein contained shall be construed as a determination of the rights of any person or persons under any provision of the Act except those relating to substitution of parties as expressly provided herein.

And it is further ordered, That unless the said purchaser and the said seller comply with the conditions specified in the order to which this is appended and made a part thereof, this order shall be of no further force and effect.

By the Commission, The Transfer Board.

HAROLD D. MCCOY,
Secretary

(SEAL)

[fol. 218] APPENDIX

The foregoing order approves and authorizes, subject to the conditions specified therein, substitution of the above-named purchaser as applicant for the operating rights applied for by the seller herein and assigned Docket No. MC 117119 Sub 1.

NOTE: The operating rights which are the subject of this order have been assigned No. MC 117119 Sub 1.

*See MC-FC 61586 with respect to MC 117119.

[fol. 219]

EXHIBIT No. 13

(See opposite) ☞

Your Frozen Foods Will Never THAW When Your Trucker Is WILLIS SHAW

SHAW SERVICE Dependable Complete Insurance Coverage

SHAW EQUIPMENT Modern refrigerated units 100% diesel powered 2 man operation

Common Carrier I.C.C MC 117119

Poultry • Fruits • Vegetables • Eggs

"Serving 35 States In The U. S. A."

WILLIS SHAW Frozen Express Inc.

Elm Springs, Ark.

Phones Office ADams 5-3610 Res. Springdale PI 1-2961

[fol. 220]

EXHIBIT No. 14

WILLIS SHAW FROZEN EXPRESS, INC.,
ELM SPRINGS, ARKANSAS

At a Session of the INTERSTATE COMMERCE COMMISSION, Division 1, held at its office in Washington, D. C., on the 4th day of February, A. D. 1959

AFTER DUE INVESTIGATION, It appearing that the above-named carrier has complied with all applicable provisions of the Interstate Commerce Act, and the requirements, rules, and regulations prescribed thereunder, and, therefore, is entitled to receive authority from this Commission to engage in transportation in interstate or foreign commerce as a motor carrier; and the Commission so finding;

IT IS ORDERED, That the said carrier be, and it is hereby, granted this Certificate of Public Convenience and Necessity as evidence of the authority of the holder to engage in transportation in interstate or foreign commerce as a common carrier by motor vehicle; subject, however, to such terms, conditions, and limitations as are now, or may hereafter be, attached to the exercise of the privileges herein granted to the said carrier.

IT IS FURTHER ORDERED, and is made a condition of this certificate that the holder thereof shall render reasonably continuous and adequate service to the public in pursuance of the authority herein granted, and that failure so to do shall constitute sufficient grounds for suspension, change, or revocation of this certificate.

IT IS FURTHER ORDERED, That the transportation service to be performed by the said carrier in interstate or foreign commerce shall be as specified below:

IRREGULAR ROUTES:

Frozen poultry and *frozen foods,*

From Little Rock, Ark., and points in Arkansas on, north, and west of a line beginning at the Arkansas-

Oklahoma State line and extending eastward along Arkansas Highway 22 through Forth Smith to Dardanelle, thence northward along Arkansas Highway 7 to Harrison, and thence along U. S. Highway 65 to the Arkansas-Missouri State line, to points in Arizona, California, Colorado, Idaho, Nevada, New Mexico, Oregon, and Washington; and

Empty containers used in transporting frozen poultry and frozen foods,

From the above-specified destination points to the described origin points.

RESTRICTION: The authority granted herein is subject to the condition that Willis Shaw, individually, shall not engage in operations as a private carrier.

AND IT IS FURTHER ORDERED, That this certificate shall supersede Certificate No. MC 117119, issued June 2, 1958, acquired by the above-named carrier pursuant to MC-FC 61586, and that said certificate be, and it is hereby, canceled.

By the Commission, division 1.

HAROLD D. McCOY,
Secretary.

(SEAL)

*This certificate embraces the operating rights in the certificate superseded and canceled in the last ordering paragraph above.

[fol. 221] APPENDIX

The foregoing order approves and authorizes, subject to the conditions specified therein, substitution of the above-named purchaser as applicant for the operating rights applied for by the seller herein and assigned Docket No. MC 117119 Sub 1.

NOTE: The operating rights which are the subject of this order have been assigned No. MC 117119 Sub 1.

*See MC-FC 61586 with respect to MC 117119.

[fol. 222]

EXHIBIT No. 15

TA-GR-B

ORDER

At a Session of the INTERSTATE COMMERCE COMMISSION, Temporary Authorities Board, held at its office in Washington, D. C., on the 21st day of January, A. D. 1960.

No. MC 117119 Sub 7 TA

WILLIE SHAW FROZEN EXPRESS, INC.
ELM SPRINGS, ARKANSAS

Application by the above-named applicant filed under Section 210(a) of the Interstate Commerce Act, as amended, for temporary authority to operate as a motor carrier in interstate or foreign commerce being under consideration, and

It appearing, That there is an immediate and urgent need for the motor carrier service described in the appendix hereto and that there is no carrier service available capable of meeting such need:

It is ordered, That applicant be and is hereby granted temporary authority, conditioned upon full compliance with all applicable statutory and Commission requirements concerning tariff publications and evidence of security for the protection of the public, to engage in the business of transportation by motor vehicle, in interstate or foreign commerce, to the extent and in the manner set forth in the appendix hereto, subject to the further conditions that unless otherwise provided in the appendix, *(1) the service herein authorized shall be limited to the handling of the described traffic from and to the specific points or territories set forth in the appendix, and (2) no operating right separately described in the appendix may be combined with any other operating right therein described, or with any other temporary or permanent authority now held by, or hereafter issued to, applicant or any other carrier for the purpose of performing service from or to points not within the specific authority herein granted.*

It is further ordered, That the service provided for in this order shall not be commenced until all requirements have been met and applicant has received notice from the Commission that such service may be instituted.

It is further ordered, That if applicant fails to comply with all applicable statutory and Commission requirements, rules, and regulations within 30 days from the date hereof, or such additional time as the Commission may specifically grant, this order shall be of no further force and effect and the said application shall be deemed to be denied for want of prosecution and applicant so notified.

And it is further ordered, That except as herein granted the said application be, and it is hereby, denied.

By the Commission, Temporary Authorities Board.

HAROLD D. McCOY,
Secretary.

[fol. 223]

TA-GR-B

APPENDIX

No. MC 117119 Sub 7 TA

WILLIE SHAW FROZEN EXPRESS, INC.
ELM SPRINGS, ARKANSAS

By the order of which this appendix is a part, entered under the name and number shown above, applicant upon compliance with the conditions set forth therein and after receipt of notice from the Commission that the said conditions have been met, and provided the operations are begun within the time allowed in said order or any extension thereof, is authorized to engage in the business of transportation by motor vehicle, in interstate or foreign commerce as follows:

Time for which authority is granted—180 days

Type of carrier—Common

Service authorized—

Fresh and Frozen poultry and frozen foods, in straight and/or mixed and/or pool truck shipments, over irregular routes,

From St. James and Madelin, Minn., to St. Joseph, Kansas City, Springfield, Joplin, Carthage and Moberly, Mo.; Liberal, Topeka, Manhattan, Smith Center, Wichita, Pittsburg, Hutchinson and Dodge City, Kans.; and Altus, Oklahoma City and Tulsa, Okla.

NOTE: Operations may not be commenced until after *compliance* with Commission requirements concerning designation of agents upon whom process may be served.

(Stamp)

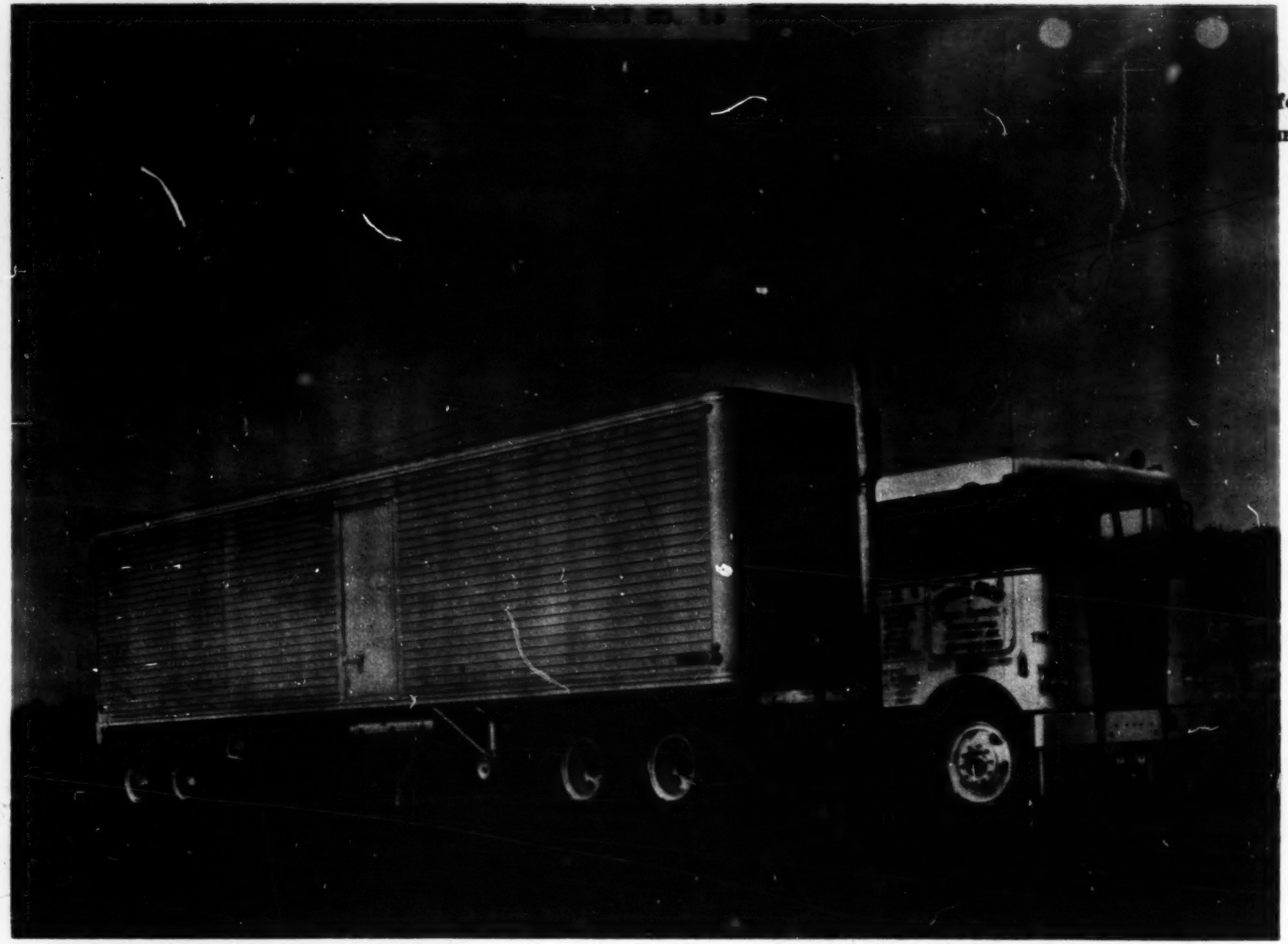
EXTENDED
INDEFINITELY

7-5-60

Sub 4

(Handwritten notation)
Extended Indefinitely–
letter sent to applicant
7-5-60

NOTICE TO PARTIES: Special Rules of Practice Governing Procedure of the Temporary Authorities Board provide that petitions for reconsideration of the action of the said Board may be filed within 20 days following service of notice of such action. The Commission requires the original and four copies of each such petition filed and also a statement certifying that one copy thereof has been served on each party of record in the proceeding.



[fol. 225] EXHIBIT No. 17

WILLIS SHAW FROZEN EXPRESS, INC.
ELM SPRINGS, ARKANSAS

EQUIPMENT LIST

TRACTORS

UNIT NO.	YEAR	MAKE	TYPE
O-13	1953	GMC	Tandem, Sleeper-berth, Gas
O-15	1956	WHITE	Tandem, Sleeper-berth, Gas
O-17	1956	FORD	Tandem, Sleeper-berth, Gas
O-22	1952	DIAMOND T	Tandem, Sleeper-berth, Diesel
L-24	1954	GMC	Single axle, Diesel
L-26	1958	MACK	Single axle, Diesel
O-28	1949	INTERNATIONAL	Pick-up and delivery
O-29	1956	INTERNATIONAL	Pick-up and delivery
O-30	1949	GMC	Pick-up and delivery
O-32	1950	INTERNATIONAL	Pick-up and delivery
O-34	1947	INTERNATIONAL	Pick-up and delivery
O-36	1955	INTERNATIONAL	Tandem, Sleeper-berth, Diesel
O-38	1955	INTERNATIONAL	Tandem, Sleeper-berth, Diesel
O-76	1956	WHITE	Tandem, Sleeper-berth, Diesel
O-78	1957	MACK	Tandem, Sleeper-berth, Diesel
O-96	1957	WHITE	Tandem, Sleeper-berth, Diesel
O-98	1957	WHITE	Tandem, Sleeper-berth, Diesel
O-102	1957	WHITE	Tandem, Sleeper-berth, Diesel
O-104	1957	WHITE	Tandem, Sleeper-berth, Diesel
L-106	1957	DIAMOND T	Tandem, Sleeper-berth, Diesel
O-108	1957	WHITE	Tandem, Sleeper-berth, Diesel
O-110	1957	WHITE	Tandem, Sleeper-berth, Diesel
O-114	1958	WHITE	Tandem, Sleeper-berth, Diesel
O-116	1958	WHITE	Tandem, Sleeper-berth, Diesel
O-118	1957	WHITE	Tandem, Sleeper-berth, Diesel
O-120	1957	DIAMOND T	Tandem, Sleeper-berth, Diesel
O-124	1958	WHITE FREIGHTLINER	Tandem, Sleeper-berth, Diesel
O-126	1958	KENWORTH	Tandem, Sleeper-berth, Diesel
O-128	1958	KENWORTH	Tandem, Sleeper-berth, Diesel
O-130	1958	KENWORTH	Tandem, Sleeper-berth, Diesel
O-132	1956	DIAMOND T	Tandem, Sleeper-berth, Diesel
O-134	1959	WHITE FREIGHTLINER	Tandem, Sleeper-berth, Diesel
O-136	1959	WHITE FREIGHTLINER	Tandem, Sleeper-berth, Diesel
O-138	1959	KENWORTH	Tandem, Sleeper-berth, Diesel
O-140	1959	KENWORTH	Tandem, Sleeper-berth, Diesel
O-142	1959	KENWORTH	Tandem, Sleeper-berth, Diesel
O-144	1959	INTERNATIONAL	Tandem, Sleeper-berth, Diesel
O-146	1959	INTERNATIONAL	Tandem, Sleeper-berth, Diesel
L-148	1959	DIAMOND T	Tandem, Sleeper-berth, Diesel
O-152	1960	KENWORTH	Tandem, Sleeper-berth, Diesel
O-154	1960	KENWORTH	Tandem, Sleeper-berth, Diesel
O-156	1960	WHITE FREIGHTLINER	Tandem, Sleeper-berth, Diesel
O-158	1960	WHITE FREIGHTLINER	Tandem, Sleeper-berth, Diesel
O-160	1960	WHITE FREIGHTLINER	Tandem, Sleeper-berth, Diesel
O-162	1960	DIAMOND T	Tandem, Sleeper-berth, Diesel
O-164	1960	DIAMOND T	Tandem, Sleeper-berth, Diesel
O-166	1960	MACK	Tandem, Sleeper-berth, Diesel
O-168	1960	MACK	Tandem, Sleeper-berth, Diesel

(Continued)

[fol. 226]

-2-

EQUIPMENT LIST

TRACTORS

UNIT NO.	YEAR	MAKE	TYPE
L-170	1960	MACK	Tandem, Sleeper-berth, Diesel
L-172	1960	MACK	Tandem, Sleeper-berth, Diesel
L-174	1955	WHITE	Tandem, Sleeper-berth, Diesel
O-176	1960	KENWORTH	Tandem, Sleeper-berth, Diesel
O-178	1960	KENWORTH	Tandem, Sleeper-berth, Diesel
O-180	1960	KENWORTH	Tandem, Sleeper-berth, Diesel
O-182	1960	KENWORTH	Tandem, Sleeper-berth, Diesel
O-184	1960	KENWORTH	Tandem, Sleeper-berth, Diesel
O-186	1960	KENWORTH	Tandem, Sleeper-berth, Diesel
O-188	1960	KENWORTH	Tandem, Sleeper-berth, Diesel
O-190	1960	KENWORTH	Tandem, Sleeper-berth, Diesel
O-192	1960	KENWORTH	Tandem, Sleeper-berth, Diesel
O-194	1960	KENWORTH	Tandem, Sleeper-berth, Diesel
O-196	1960	DIAMOND T	Tandem, Sleeper-berth, Diesel

[fol. 227] EXHIBIT No. 18

WILLIS SHAW FROZEN EXPRESS, INC.
ELM SPRINGS, ARKANSAS
EQUIPMENT LIST

TRAILERS

UNIT NO.	YEAR	MAKE	REFRIGERATION NAME OF UNIT	MODEL	AXLE
L-165	1954	TRAILMOBILE	THERMOKING	RT	TANDEM
L-185	1956	TRAILMOBILE	THERMOKING	RT	TANDEM
L-190	1956	TRAILMOBILE	THERMOKING	RT	TANDEM
L-195	1958	TRAILMOBILE	THERMOKING	RT	TANDEM
O-300	1957	TRAILMOBILE	TRANSICOLD	200	TANDEM
O-305	1957	TRAILMOBILE	TRANSICOLD	200	TANDEM
O-310	1957	TRAILMOBILE	TRANSICOLD	200	TANDEM
O-315	1957	TRAILMOBILE	TRANSICOLD	200	TANDEM
O-320	1957	TRAILMOBILE	TRANSICOLD	200	TANDEM
O-325	1957	TRAILMOBILE	TRANSICOLD	200	TANDEM
O-330	1957	TRAILMOBILE	TRANSICOLD	200	TANDEM
O-335	1957	TRAILMOBILE	TRANSICOLD	200	TANDEM
O-340	1956	TRAILMOBILE	TRANSICOLD	200	TANDEM
O-345	1956	TRAILMOBILE	TRANSICOLD	200	TANDEM
O-350	1956	TRAILMOBILE	TRANSICOLD	200	TANDEM
O-355	1956	TRAILMOBILE	TRANSICOLD	200	TANDEM
O-360	1957	TRAILMOBILE	TRANSICOLD	200	TANDEM
L-365	1957	FRUEHAUF	TRANSICOLD	200	TANDEM
O-370	1959	TRAILMOBILE	TRANSICOLD	220	TANDEM
O-375	1959	TRAILMOBILE	TRANSICOLD	220	TANDEM
O-380	1959	TRAILMOBILE	TRANSICOLD	220	TANDEM
O-385	1959	TRAILMOBILE	TRANSICOLD	220	TANDEM
O-390	1959	TRAILMOBILE	TRANSICOLD	220	TANDEM
O-400	1959	TRAILMOBILE	TRANSICOLD	220	TANDEM
O-405	1959	TRAILMOBILE	TRANSICOLD	220	TANDEM
O-410	1959	TRAILMOBILE	TRANSICOLD	220	TANDEM
O-415	1959	TRAILMOBILE	TRANSICOLD	220	TANDEM
O-420	1959	BROWN	TRANSICOLD	220	TANDEM
O-425	1959	TRAILMOBILE	TRANSICOLD	220	TANDEM
O-430	1959	BROWN	TRANSICOLD	220	TANDEM
O-435	1957	AMERICAN	TRANSICOLD	200	TANDEM
O-440	1959	TRAILMOBILE	TRANSICOLD	220	TANDEM
O-445	1959	TRAILMOBILE	TRANSICOLD	220	TANDEM
O-455	1960	TRAILMOBILE	TRANSICOLD	220	TANDEM
O-460	1960	TRAILMOBILE	TRANSICOLD	220	TANDEM
O-465	1960	TRAILMOBILE	TRANSICOLD	220	TANDEM
L-470	1960	BROWN	TRANSICOLD	200	TANDEM
L-475	1959	GREAT DANE	TRANSICOLD	200	TANDEM
O-480	1960	TRAILMOBILE	TRANSICOLD Diesel	230	TANDEM
O-485	1960	TRAILMOBILE	TRANSICOLD Diesel	230	TANDEM
O-490	1960	TRAILMOBILE	TRANSICOLD Diesel	230	TANDEM
O-495	1960	TRAILMOBILE	TRANSICOLD Diesel	230	TANDEM
O-500	1960	TRAILMOBILE	TRANSICOLD Diesel	230	TANDEM
O-505	1960	TRAILMOBILE	TRANSICOLD Diesel	230	TANDEM
O-510	1960	TRAILMOBILE	TRANSICOLD Diesel	230	TANDEM
O-515	1960	TRAILMOBILE	TRANSICOLD Diesel	230	TANDEM
O-520	1960	TRAILMOBILE	TRANSICOLD Diesel	230	TANDEM

(Continued)

[fol. 228]

-2-

EQUIPMENT LIST TRAILERS

UNIT NO.	YEAR	MAKE	REFRIGERATION NAME OF UNIT	MODEL	AXLE
O-525	1960	TRAILMOBILE	TRANSICOLD Diesel	230	TANDEM
O-530	1960	TRAILMOBILE	TRANSICOLD Diesel	230	TANDEM
O-535	1960	TRAILMOBILE	TRANSICOLD Diesel	230	TANDEM
O-540	1960	TRAILMOBILE	TRANSICOLD Diesel	230	TANDEM
O-545	1960	TRAILMOBILE	TRANSICOLD Diesel	230	TANDEM
O-550	1960	TRAILMOBILE	TRANSICOLD Diesel	230	TANDEM

[fol. 229]

EXHIBIT No. 19

WILLIS SHAW FROZEN EXPRESS, INC.

ELM SPRINGS, ARKANSAS

FINANCIAL STATEMENT

AT

AUGUST 31, 1960

[fol. 230]

WILLIS SHAW FROZEN EXPRESS, INC.
ELM SPRINGS, ARKANSAS

BALANCE SHEET
As August 31, 1960

ASSETS

CURRENT ASSETS:				
Cash on hand and in bank			$ 53,562.00	
Accounts Receivable (Customers)			67,798.81	
Accounts Receivable (Other)			89.82	
Accounts Receivable (Garage)			3,477.72	
Accounts Receivable (Employees)			9,706.41	
Other Investments			4,100.00	
Total Current Assets				$ 138,734.76
FIXED ASSETS:	Cost	Accum. Depr.	Book Value	
Land	$ 3,753.00	$ -0-	$ 3,753.00	
Structures	18,963.30	4,355.08	14,608.22	
Revenue Equipment	1,344,368.72	470,389.17	873,979.55	
Svc. Cars & Equip.	15,083.28	8,003.63	7,079.65	
Shop & Garage Equip.	5,863.74	2,285.21	3,578.53	
Furn. & Office Equip.	9,685.68	3,420.51	6,265.17	
Miscl. Equipment	700.00	589.05	110.95	
	$1,398,417.72	$489,042.65	$909,375.07	$ 909,375.07
OTHER ASSETS:				
Prepaid License & Permits			$ 21,909.36	
Prepaid Insurance			190.73	
Prepaid Interest			55,034.55	
Miscl. Special Deposits			4,635.00	
Other Deferred Debits			15,297.54	
				$ 97,067.18
				$1,145,177.01

LIABILITIES AND NET WORTH

CURRENT LIABILITIES:		
Accounts Payable (Trade)	$ 37,432.60	
Accounts Payable (Other)	5,857.65	
Taxes Accrued	67,298.78	
Other Current Obligations	6.47	
Total Current Liabilities		$ 110,595.50
EQUIPMENT & LONG TERM OBLIGATIONS:		
Equipment Obligations Due 12 Mo.	$325,797.55	
Equipment Obligations Due After 12 Mo.	461,965.64	
Insurance Reserves	1,660.55	
Injury Loss & Damage Reserve	942.42	
Total		$ 790,366.16
NET WORTH:		
Capital Stock	$100,000.00	
Unearned Surplus	732.02	
Retained Earnings	143,483.33	
		$ 244,215.35
		$1,145,177.01

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[fol. 231]

WILLIS SHAW FROZEN EXPRESS, INC.
ELM SPRINGS, ARKANSAS

PROFIT AND LOSS STATEMENT
At Close of Business August 31, 1960

INCOME:	
Freight Revenue - Intercity	$1,335,458.28
Transportation for Others	4,875.09
Other Operating Revenue	18,233.25
Total Operating Revenue	$1,358,566.62
Other Income	505.77
	$1,359,072.39
OPERATING COSTS:	
Repairs and Servicing Revenue Equipment	$ 128,258.10
Employees Welfare Expense	190.31
Tires & Tubes Revenue Equipment	57,693.58
Other Maintenance Expense	6,234.95
Operating Rents	(40.00)
Drivers & Helpers Wages	215,167.68
Employees Welfare Expense	1,194.00
Fuel for Revenue Equipment	163,741.18
Oil for Revenue Equipment	9,749.82
Equipment Rents With Drivers	102,450.48
Equipment Rents Without Drivers	61,185.26
Other Purchased Transportation	33.00
Other Transportation Expense	105,241.92
Commission Agents	6,135.72
Supervision Traffic	11,125.00
Office & Other Expense	3,166.67
Tariffs & Schedules	1,296.80
Employees Welfare Expense	[illegible]
Advertising	1,6[illegible]
Other Traffic Expense	[illegible]
Public Lia. & Property Damage	19,[illegible]
Workmens Compensation	3,8[illegible]
Cargo Loss & Damage	4,626.[illegible]
Fire Theft & Collision	20,[illegible]
Other Insurance Expense	[illegible].06
Salaries General Officers	15,[illegible].00
Salaries of Office Employees	6,655.00
Expense of General Officers	2,959.03
Office Expenses	2,139.95
Law Expense	4,262.67
Outside Auditing Expense	295.73
Communication Expense	17,8[illegible].11
Employees Welfare Expense	175.29
Regulatory Expenses	5,8[illegible].29
Other General Expenses	371.22
Depreciation on Structures	1,024.32
Depreciation on Revenue Equipment	174,169.65
Depreciation on Service Cars & Equipment	1,031.60
Depreciation on Shop & Garage Equipment	590.84
Depreciation on Furniture & Office Equipment	761.44
Depreciation on Miscl. Equipment	[illegible]
Depreciation Adjustment	(67,614.84)
Gas & Fuel Oil Taxes	46,980.80
Vehicle License & Permits	67,572.65
Real Estate & Personal Property Tax	1,875.35
Social Security Taxes	8,234.20
State & Federal Unemployment Taxes	3,851.62
Other Taxes	110.00
Total Operating Costs	$1,217,084.90
Interest Paid	17,049.04
Other Deductions	[illegible].90
Total Expense	$1,235,[illegible].84
Federal Income Taxes	57,[illegible].72
State Income Taxes	5,8[illegible].42
Net Profit	60,267.41
	$1,359,072.39

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[fol. 232]

EXHIBIT No. 20

WILLIS SHAW FROZEN EXPRESS, INC.

FROZEN FISH

DATE	PRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
1-11-56	1064	Frozen Fish	38,834	Seattle, Wash.	Kansas City, Mo.
1-11-56	1068	Frozen Fish	35,688	Seattle, Wash.	Albuquerque, N. M.
1-17-56	1075	Frozen Fish	6,648	Seattle, Wash.	Kansas City, Mo.
2-9-56	1144	Frozen Fish	13,200	Everett, Wash.	Kansas City, Mo.
1-28-56	1145	Frozen Fish	17,100	Bayfield, Wisc.	Kansas City, Mo.
3-20-56	1301	Frozen Fish	4,400	Everett, Wash.	Kansas City, Mo.
4-7-56	1347	Frozen Fish		Cleveland, Ohio	St. Louis, Mo.
4-27-56	1413	Frozen Fish	5,530	Seattle, Wash.	Kansas City, Mo.
6-12-56	1604	Frozen Fish	36,695	Seattle, Wash.	Kansas City, Mo.
6-26-56	1671	Frozen Fish	36,690	Seattle, Wash.	Kansas City, Mo.
7-30-56	1779	Frozen Fish	32,578	Seattle, Wash.	Kansas City, Mo.
8-15-56	1816	Frozen Fish Frozen Berries	24,053 13,442	Monterrey, Calif. San Jose, Calif.	Kansas City, Mo. " " "
8-22-56	1834	Frozen Fish	32,282	Seattle, Wash.	Kansas City, Mo.
8-23-56	1842	Frozen Fish	12,210	Cleveland, Ohio	Kansas City, Mo.
8-28-56	1865	Frozen Fish	33,821	Seattle, Wash.	Kansas City, Mo.
9-15-56	1950	Frozen Fish	34,797	Seattle, Wash.	Kansas City, Mo.
9-19-56	1954	Frozen Fish	34,251	Seattle, Wash.	Kansas City, Mo.
8-31-57	3364	Frozen Fish	32,032	Seattle, Wash.	Kansas City, Mo.
8-16-57	3423	Frozen Fish	3,974 9,907	Seattle, Wash Seattle, Wash.	Tulsa, Okla. Okla. City, Okla.
9-21-57	3452	Frozen Fish	5,000	Buhl & Twin Falls Idaho	Kansas City, Mo.
10-5-57	3488	Frozen Fish	34,000	Astoria, Oregon	Kansas City, Mo.
10-16-57	3534	Frozen Fish	32,972	Vancouver, B.C.	Kansas City, Mo.
10-18-57	3557	Frozen Fish	26,400	Cleveland, Ohio	Kansas City, Mo.
11-7-57	3589	Frozen Fish	30,984 4,300 3,885	Columbia, N. C. " " Lafayette, Inc.	Kansas City, Mo. Grand Island, Nb. Davenport, Iowa
11-12-57	3626	Frozen Fish Frozen Vege.	34,276 2,200	Vancouver, B.C. Ontario, Ore.	Kansas City, Mo. Kansas City, Mo.
11-13-57	3651	Frozen Fish	16,590	Cleveland, Ohio	Kansas City, Mo.
11-30-57	3712	Frozen Fish	2,500	Twin Falls, Idaho	Kansas City, Mo.
11-30-57	3712	Frozen Fish	27,500	Astoria, Ore.	Kansas City, Mo.
1-7-58	3807	Frozen Fish	26,772	Columbia, N.C.	Kansas City, Mo.
1-11-58	3830	Frozen Fish	37,617	Seattle, Wash.	Amarillo, Texas Albuquerque, N.M. Okla.City,Okla.
1-16-58	3835	Frozen Fish	32,679	Astoria, Ore.	Kans.City, Mo.
1-28-58	3894	Frozen Fish	28,128	Cleveland, Ohio.	Kansas City, Mo.

[fol. 234]

DATE	PRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
2-26-58	3904	Frozen Fish	3,700	Twin Falls, Ida.	Kansas City, Mo.
2-26-58	3964	Frozen Fish	24,789	Astoria, Ore.	Kansas City, Mo. Smith Center, Kans.
2-26-58	3972	Frozen Fish	28,200	Astoria, Ore.	Kansas City, Mo.
3-15-58	4037	Frozen Fish	2,750	Twin Falls, Ida.	Kansas City, Mo.
3-18-58	4048	Frozen Fish	3,549 4,840	Seattle, Wash. " "	Smith Center, Kans. Kansas City, Mo.
3-25-58	4078	Frozen Fish	10,681	Seattle, Wash.	Kansas City, Mo.
3-31-58	4095	Frozen Fish	14,696	" "	Kansas City, Mo.
4-8-58	4138	Frozen Fish	1,542	Monterrey Calif.	Kansas City, Mo.
4-5-58	4141A	Frozen Fish	22,132	Cleveland, Ohio	Kansas City, Mo.
4-15-58	4163	Frozen Fish	34,247	Astoria, Ore.	Kansas City, Mo.
4-17-58	4165	Frozen Fish	3,080	Twin Falls, Ida.	Kansas City, Mo.
5-6-58	4225A	Frozen Fish	12,320	Astoria, Ore.	Kansas City, Mo.
5-13-58	4235	Frozen Fish	4,903	Seattle, Wash.	Kansas City, Mo.
5-14-58	4279E	Frozen Fish	2,300 3,739	Columbia, N.C. " "	Lafayette, Indiana Des Moines, Iowa
6-3-58	4306	Frozen Fish	3,300	Twin Falls, Ida.	Kansas City, Mo.
5-21-59	4308	Frozen Fish	1,045	San Francisco, Cal.	Kansas City, Mo.
6-25-58	4381	Frozen Fish	34,992	Astoria, Ore.	Kansas City, Mo.
7-2-58	4390	Frozen Fish	27,000	Cleveland, Ohio	Kansas City, Mo.
7-7-58	4392	Frozen Fish	18,256 2,105 3,076	Seattle, Wash. " " " "	Tulsa, Okla. Ft. Smith, Ark. Little Rock, Ark.
7-7-58	4412	Frozen Fish	35,208	Seattle, Wash.	Kansas City, Mo.
7-15-58	4449	Frozen Fish	3,075	Twin Falls, Ida.	Kansas City, Mo.
7-22-58	4481	Frozen Fish	2,420	San Francisco, Cal.	Kansas City, Mo.
7-30-58	4519	Frozen Fish	28,928	Cleveland, Ohio	Kansas City, Mo.
8-1-58	4522	Frozen Fish	31,355	Seattle, Wash.	Kansas City, Mo.
8-6-58	4523	Frozen Fish	3,450	Twin Falls, Ida.	Kansas City, Mo.
8-6-58	4526	Frozen Fish	19,733 15,552	Astoria, Ore. " "	Amarillo, Texas. Okla. City, Okla.
8-9-58	4550	Frozen Fish	33,400	Astoria, Ore.	Kansas City, Mo.
8-20-58	4584	Frozen Fish	2,300	Seattle, Wash.	Okla. City, Okla.
8-20-58	4584	Frozen Fish & Vege.	20,518	Seattle, Wash.	Pueblo, Colo
8-29-58	4641	Frozen Fish	23,000 2,000	New Orleans, La. " " "	Kans. City, Mo. Springfield, Mo.
9-17-58	4668	Frozen Fish	11,033 23,409	Astoria, Ore. Seattle, Wash.	Kansas City, Mo. " " "
9-18-58	4673	Frozen Fish	5,400	Twin Falls, Ida.	Kansas City, Mo.
9-26-58	4703	Frozen Fish	33,973	Astoria, Ore.	Kansas City, Mo.

[fol. 235]

DATE	PRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
12-3-58	4980	Frozen Fish	5,040	Bellingham, Wash.	Kansas City, Kansas.
			5,040	" "	Wichita, Kansas
			3,733	Seattle, Wash.	Kansas City, Kansas
12-29-58	5030	Frozen Fish	31,053	Astoria, Ore	Kansas City, Mo.
			4,400	Idaho Falls, Ida.	" " "
1-2-59	5066	Frozen Fish	29,100	Phoenix, Aris.	Kansas City, Mo.
1-29-59	5112B	Frozen Fish	28,100	Columbia, N.C.	Kansas City, Mo.
2-4-59	5159	Frozen Fish	31,082	Astoria, Ore.	Kansas City, Mo.
2-24-59	5226	Frozen Fish	3,500	Idaho Falls, Ida.	Kansas City, Mo.
			1,000	Twin Falls, Ida.	" " "
3-16-59	5239	Frozen Fish	7,170	Seattle, Wash.	Okla. City, Okla.
3-11-59	5255	Frozen Fish	10,964	Astoria, Ore.	Amarillo, Texas
			27,049	" "	Kansas City, Mo.
3-16-59	5291	Frozen Fish	22,064	Little Rock, Ark.	Chicago, Ill
3-24-59	5298	Frozen Fish	2,210	Seattle, Wash.	Ft. Smith, Ark.
			2,210	" "	Wichita, Kansas
4-24-59	5411B	Frozen Fish	28,688	Columbia, N.C.	Kansas City, Mo.
5-27-59	5476	Frozen Fish	750	Los Angeles, Cal.	Okla City &Tulsa,Okla.
			34,300	" "	" " " " "
6-19-59	5576	Frozen Fish	2,000	Twin Falls, Ida.	Denver, Colorado.
6-24-59	5684	Frozen Fish	38,678	Seattle, Wash.	Kansas City, Mo.
7-7-59	5728	Frozen Fish	4,515	Seattle, Wash.	Kansas City, Kansas
7-16-59	5761	Frozen Fish	2,320	Twin Falls, Idaho	Kansas City, Missouri
7-19-59	5770	Frozen Fish	19,550	Columbia, N.C.	Kansas City, Mo.
			5,008	" "	Indianapolis, Ind & Lafayette, Ind & Granite City, Ill.
8-22-59	5852	Frozen Fish	22,038	Seattle, Wash.	Kansas City, Mo.
8-22-59	5861	Frozen Fish	19,768	Seattle, Wash.	Amarillo, Texas
			15,910	" "	Okla. City, Okla.
8-27-59	5903	Frozen Fish	500	Twin Falls, Ida.	Kansas City, Mo.
			2,100	" " "	St. Louis, Mo.
10-13-59	6091	Frozen Fish	33,258	Seattle, Wash.	Kansas City, Mo.
11-4-59	6164	Frozen Fish	36,400	Vancouver, B.C.	Kansas City, Mo.
11-3-59	6171	Frozen Fish	6,556	Seattle, Wash.	Kansas City, Mo.
11-20-59	6210	Frozen Fish.	33,486	Seattle, Wash.	Kansas City, Mo.
12-22-59	6324	Frozen Fish	26,169	Columbia, N.C.	Kansas City, Mo.
			3,828	" "	Granite City, Ill
12-29-59	6341	Frozen Fish	34,771	Seattle, Wash.	Kansas City, Mo.
1-22-60	6414	Frozen Fish	25,665	Columbia, N.C.	Lafayette, Ind.
					Des Moines, Iowa
					Davenport, Iowa
1-26-60	6432	Frozen Fish	34,332	Seattle, Wash.	Kansas City, Mo.
2-12-60	6[illegible]	Frozen Fish	17,067	Seattle, Wash.	Okla. City, Okla.
			15,072	" "	Amarillo, Texas
2-16-60	6500	Frozen Fish	32,329	Seattle, Wash.	Kansas City, Mo.

[fol. 236]

DATE	PRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
3-23-60	66208	Frozen Fish	13,554	Columbia, S.C.	Kansas City, Mo.
4-2-60	6653	Frozen Fish	33,929	Seattle, Wash.	Kansas City, Mo.
4-20-60	6714	Frozen Fish	3,595	Columbia, S.C.	Little Rock, Ark.
			2,228	" "	Decatur, Ill.
			12,347	" "	Kansas City, Mo.
5-16-60	6793-1	Frozen Fish	3,300	Twin Falls, Ida.	Kansas City, Mo.
5-24-60	6871	Frozen Fish	12,953	Columbia, S.C.	Kansas City, Mo.
			2,101	" "	Granite City, Ill.
			2,211	" "	Pearl, Ill.
			4,191	" "	St. Louis, Mo.
5-28-60	6883	Frozen Fish	34,970	Seattle, Wash.	Kansas City, Mo.
6-2-60	6891	Frozen Fish	32,673	Seattle, Wash.	Kansas City, Mo.
6-24-60	6976A	Frozen Fish	13,547	Columbia, S.C.	Kansas City, Mo.
			4,114	" "	Decatur, Ill.
			1,650	" "	Granite City, Ill.
			2,205	" "	Robinson, Ill.
6-21-60	6996	Frozen Fish.	33,758	Seattle, Wash.	Kansas City, Mo.
8-8-60	7182	Frozen Fish	6,050	Seattle, Wash.	Little Rock, Ark.
			2,722	" "	Okla. City, Okla.
			8,291	" "	Tulsa, Okla.
8-20-60	7272	Frozen Fish	2,094	Seattle, Wash.	Kansas City, Mo.
8-30-60	7307	Frozen Fish	18,213	Seattle, Wash.	Okla. City, Okla.
			13,774	" "	Amarillo, Texas
9-27-60	7309	Frozen Fish	30,021	Seattle, Wash.	Kansas City, Mo.
9-24-60	7422	Frozen Fish	35,212	Seattle, Wash.	Kansas City, Mo.

[fol. 237] EXHIBIT No. 21

WILLIS SHAW FROZEN EXPRESS, INC.

RECORD OF SHIPMENTS

OF

FROZEN POULTRY

EXHIBIT No. 21

Willis Shaw Frozen Express, Inc., Record of shipments of frozen poultry (excerpts).

(See opposite) ☞

[fol. 405]

DATE	FRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
8-8-59	5841	Ice Pack Poultry	22,619	Bardonelle, Ark.	Oakland, Calif. *
8-12-59	5867	Ice Pack Poultry	24,389	Russellville, Ark.	Oakland, Calif.
8-12-59	5868	Ice Pack Poultry	22,000	Russellville, Ark.	Oakland, Calif.
8-17-59	5878	Ice Pack Poultry		Neal, No.	Oakland, Calif. *
8-21-59	5890	Ice Pack Poultry	23,826	Bardonelle, Ark.	Oakland, Calif.
8-24-59	5910	Ice Pack Poultry	22,000	Bardonelle, Ark.	Oakland, Calif.
8-27-59	5918	Ice Pack Poultry	24,228	Bardonelle, Ark.	Oakland, Calif. *
8-31-59	5936	Ice Pack Poultry	22,000	Kansas City, Mo.	Oakland, Calif. *
8-1-59	5825	Ice Pack Poultry		Ft. Smith, Ark.	Pasadena, Calif.
8-8-59	5851	Ice Pack Poultry		Muskogee, Okla.	San Diego, Calif.
8-27-59	5919	Ice Pack Poultry	22,599	Bardonelle, Ark.	San Diego, Calif. *
8-3-59	5821	Frozen Poultry	35,897 *	Chicago, Ill.	San Francisco, Calif.
8-3-59	5821	Frozen Poultry	35,897 *	Fairmont, Minn.	San Francisco, Calif.
8-17-59	5879	Ice Pack Poultry	24,580	Russellville, Ark.	San Francisco, Calif.
8-1-59	5822	Ice Pack Poultry		Muskogee, Okla.	Vernon, Calif. *
8-24-59	5906	Ice Pack Poultry		Springdale, Ark.	Visalia, Calif. *
8-10-59	5847	Frozen Poultry	35,494	Bardonelle, Ark.	Wilmington, Calif. *
8-5-59	5799	Ice Pack Poultry		Springdale, Ark.	Cortez, Colo. *
8-5-59	5833	Ice Pack Poultry		Springdale, Ark.	Cortez, Colo. *
8-24-59	5905	Ice Pack Poultry		Springdale, Ark.	Cortez, Colo. *
8-5-59	5799	Ice Pack Poultry		Springdale, Ark.	Delta, Colo. *
8-5-59	5833	Ice Pack Poultry		Springdale, Ark.	Delta, Colo. *
8-24-59	5905	Ice Pack Poultry		Springdale, Ark.	Delta, Colo. *
8-1-59	5798A	Ice Pack Poultry		Springdale, Ark.	Denver, Colo.
8-4-59	5826	Ice Pack Poultry		Springdale, Ark.	Denver, Colo.
8-7-59	5849	Ice Pack Poultry		Springdale, Ark.	Denver, Colo.
8-10-59	5855	Ice Pack Poultry		Springdale, Ark.	Denver, Colo.
8-14-59	5872	Ice Pack Poultry		Springdale, Ark.	Denver, Colo.
8-22-59	5909	Ice Pack Poultry		Springdale, Ark.	Denver, Colo.
8-26-59	5877	Ice Pack Poultry		Springdale, Ark.	Denver, Colo.
8-26-59	5897	Ice Pack Poultry		Springdale, Ark.	Denver, Colo.
8-28-59	5922	Ice Pack Poultry		Springdale, Ark.	Denver, Colo.
8-31-59	5926	Ice Pack Poultry	22,470	Alma, Ark.	Denver, Colo. *
8-31-59	5931	Ice Pack Poultry		Springdale, Ark.	Denver, Colo.
8-5-59	5799	Ice Pack Poultry		Springdale, Ark.	Durango, Colo. *
8-5-59	5833	Ice Pack Poultry		Springdale, Ark.	Durango, Colo. *
8-24-59	5905	Ice Pack Poultry		Springdale, Ark.	Durango, Colo. *
8-5-59	5799	Ice Pack Poultry		Springdale, Ark.	Grand Junction, Colo.*
8-5-59	5799	Ice Pack Poultry		Springdale, Ark.	Grand Junction, Colo.*
8-24-59	5905	Ice Pack Poultry		Springdale, Ark.	Grand Junction, Colo.*
8-5-59	5799	Ice Pack Poultry		Springdale, Ark.	Montrose, Colo. *
8-5-59	5833	Ice Pack Poultry		Springdale, Ark.	Montrose, Colo. *
8-24-59	5905	Ice Pack Poultry		Springdale, Ark.	Montrose, Colo. *
8-8-59	5848	Ice Pack&Frozen	24,775	Springdale, Ark.	Boise, Idaho
8-7-59	5837	Ice Pack Poultry		Springdale, Ark.	Idaho Falls, Idaho
8-15-59	5864	Ice Pack Poultry		Springdale, Ark.	Idaho Falls, Idaho
8-21-59	5891	Ice Pack Poultry		Springdale, Ark.	Idaho Falls, Idaho
8-26-59	5911	Ice Pack Poultry		Springdale, Ark.	Idaho Falls, Idaho
8-7-59	5850	Frozen Poultry	30,000	Fayetteville, Ark.	Chicago, Ill.
8-14-59	5871	Frozen Poultry	34,931	Council Bluffs, Iowa	New Orleans, La.
8-26-59	5900	Frozen Poultry	30,028	Springdale, Ark.	Hopkins, Minn.
8-3-59	5842	Frozen Poultry	32,000	Van Buren, Ark.	Union, Mo.
8-6-59	5813	Frozen Poultry	29,600	Clinton, Iowa	Union, Mo.
8-7-59	5827	Frozen Poultry	29,212	Clinton, Iowa	Union, Mo.
8-7-59	5850	Frozen Poultry	28,776	Clinton, Iowa	Union, Mo.

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DATE	TRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
8-5-59	5838	Ice Pack Poultry		Springdale, Ark.	Billings, Montana
8-7-59	5815	Ice Pack Poultry		Springdale, Ark.	Billings, Montana
8-13-59	5861	Ice Pack Poultry		Springdale, Ark.	Billings, Montana
8-17-59	5875	Ice Pack Poultry		Springdale, Ark.	Billings, Montana
8-26-59	5892	Ice Pack Poultry		Springdale, Ark.	Billings, Montana
8-28-59	5915	Ice Pack Poultry		Springdale, Ark.	Billings, Montana
8-7-59	5845	Ice Pack Poultry		Muskogee, Okla.	Butte, Montana
8-31-59	5926	Ice Pack Poultry	22,470	Alma, Ark.	Butte, Montana
8-4-59	5825A	Frozen Poultry	31,237	Springdale, Ark.	Great Falls, Mont.
8-14-59	5860	Frozen Poultry	35,000	Springdale, Ark.	Great Falls, Mont.
8-6-59	5853	Frozen Poultry	31,851	Fayetteville, Ark.	Omaha, Nebr.
8-12-59	5870	Frozen Poultry	32,015	Fayetteville, Ark.	Omaha, Nebr.
8-14-59	5885	Frozen Poultry	30,000	Fayetteville, Ark.	Omaha, Nebr.
8-17-59	5886	Frozen Poultry	32,900	Fayetteville, Ark.	Omaha, Nebr.
8-22-59	5911	Frozen Poultry	30,000	Fayetteville, Ark.	Omaha, Nebr.
8-28-59	5934	Frozen Poultry	30,906	Fayetteville, Ark.	Omaha, Nebr.
8-13-59	5865	Ice Pack Poultry	22,000	Dardanelle, Ark.	Las Vegas, Nevada
8-17-59	5878	Ice Pack Poultry		Neal, Mo.	Reno, Nevada *
8-27-59	5918	Ice Pack Poultry	24,228	Dardanelle, Ark.	Reno, Nevada *
8-31-59	5936	Ice Pack Poultry	22,000	Kansas City, Mo.	Reno, Nevada *
8-19-59	5893	Ice Pack Poultry		Muskogee, Okla.	Clackamas, Oregon
8-10-59	5866	Ice Pack&Frozen	23,320	Springdale, Ark.	Portland, Oregon
8-19-59	5888	Ice Pack Poultry	22,240	Russellville, Ark.	Portland, Oregon
8-20-59	5889	Ice Pack Poultry	22,234	Russellville, Ark.	Portland, Oregon
8-17-59	5887	Ice Pack Poultry	7,681	Dardanelle, Ark.	Memphis, Tenn.
8-24-59	5911A	Ice Pack Poultry	15,580	Dardanelle, Ark.	Memphis, Tenn.
8-14-59	5880	Ice Pack Poultry	21,119	Russellville, Ark.	Dallas, Texas
8-15-59	5881A	Ice Pack Poultry	17,893	Dardanelle, Ark.	Dallas, Texas
8-22-59	5884	Frozen Poultry	30,066	Modesto, Calif.	Dallas, Texas
8-15-59	5864	Ice Pack Poultry		Springdale, Ark	Salt Lake City, Utah *
8-22-59	5886	Frozen Poultry	32,675	Sedalia, Mo.	Seattle, Wash.
8-31-59	5932	Frozen Poultry	32,550	Sedalia, Mo	Seattle, Wash.
8-1-59	5823	Ice Pack Poultry	22,274	Greenville, Miss.	Spokane, Wash.
8-12-59	5852	Ice Pack Poultry	23,212	Rogers, Ark.	Spokane, Wash.

[fol. 407] EXHIBIT No. 22

WILLIS SHAW FROZEN EXPRESS, INC.

RECORD OF SHIPMENTS

OF

FROZEN FRUITS, FROZEN BERRIES, FROZEN VEGETABLES

AND FROZEN FISH

[fol. 408]

DATE	PRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
5-3-54	B/L	Frzn Fruitberr.	28,800	Burbank, Calif.	Kansas City, Kansas
			2,274	Los Angeles, Calif.	" "
5-10-54	B/L	Frzn FruitVege.	2,900	Sanger, Calif.	Kansas City, Kansas
			7,389	" "	Okla City, Okla.
			4,323	Sacramento, Calif.	Kansas City, Kansas
			8,600	Watsonville, Calif.	" "
5-19-54	B/L	Frzn VegetBerr.	9,000	San Jose, Calif.	Okla City, Okla.
			3,600	" "	Springfield, Mo.
			4,500	San Martin, Calif.	Hutchinson, Kansas
			7,700	" "	Wichita, Kansas
			1,350	Sanger, Calif.	Okla City, Okla.
5-25-54	B/L	Frozen Fruits	29,700	Chicago, Ill.	Kansas City, Kansas
5-25-54	B/L	Frozen Berries	4,500	Modesto, Calif.	Springfield, Mo.
			12,600	" "	Kansas City, Kansas
			4,500	" "	Kansas City, Mo.
			9,000	" "	Topeka, Kansas
5-29-54	B/L	Frozen Vegetables	31,950	Winnebago, Minn.	Kansas City, Mo.
6-1-54	B/L	Frozen Berries	10,200	San Martin, Calif.	Lincoln, Nebr.
			4,320	" "	Fairbury, Nebr.
			9,000	" "	Sioux City, Iowa
			4,500	" "	Smith Center, Kansas
			3,600	" "	McCook, Nebr.
6-2-54	B/L	Frozen Berries	20,850	San Jose, Calif.	Okla City, Okla.
			7,810	San Martin, Calif.	Wichita, Kansas
					Tulsa, Okla.
6-7-54	B/L	Frzn VegetBerr.	81000	Redwood, Calif.	Wichita, Kansas
			23,097	San Martin, Calif.	" "
6-7-54	B/L	Frozen Fruits	26,235	Sturgeon Bay, Wisc.	Kansas City, Mo.
6-8-54	B/L	Frzn VegetBerr.	4,800	San Martin, Calif.	Joplin, Mo.
			8,330	" "	Salina, Kansas
			8,650	" "	Topeka, Kansas
			6,700	Modesto, Calif.	Kansas City, Kansas
			6,700	" "	Wichita, Kansas
6-23-54	B/L	Frozen Fruits	30,400	Benton Harbor, Mich.	Kansas City, Kansas
6-21-54	B/L	Frozen Berries	30,600	San Martin, Calif.	Wichita, Kansas
6-29-54	B/L	Frozen Fruits	16,000	Green Bay, Wisc.	Hutchinson, Kansas
7-1-54	B/L	Frozen Vegetables	8,591	Winnebago, Minn.	Wichita, Kansas
			21,584	" "	Manhattan, Kansas
7-7-54	B/L	Frozen Vegetables	31,062	Winnebago, Minn.	Topeka, Kansas
7-16-54	B/L	Frozen Fruits	16,000	Green Bay, Wisc.	Topeka, Kansas
			6,400	" "	Kansas City, Mo.
			8,800	" "	Springfield, Mo.

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DATE	PRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
7-12-54	B/L	Frozen Fruits	29,760	Sodus, Mich.	Kansas City, Mo.
7-12-54	B/L	Frozen Berries	31,500	San Martin, Calif. Gilroy, Calif.	Wichita, Kansas Liberal, Kansas
7-24-54	B/L	Frozen Fruits	15,200 16,000	Green Bay, Wisc. " "	Kansas City, Kansas St. Joseph, Mo.
8-5-54	B/L	Frozen Berries	12,900 4,500	San Jose, Calif. " "	Kansas City, Mo. Carthage, Mo.
8-5-54	B/L	Frozen Berries	31,040 4,225	Sodus, Mich. " "	Kansas City, Kansas Wichita, Kansas
8-7-54	B/L	Frozen Fruits	6,400 9,600 13,760	Ludington, Mich. " " " "	Topeka, Kansas Carthage, Mo. Kansas City, Kansas
8-10-54	B/L	Frozen Berries	24,750	Benton Harbor, Mich.	Kansas City, Kansas
8-16-54	B/L	Frozen Berries	17,964	San Jose, Calif.	Topeka, Kansas
8-17-54	B/L	Frozen Berries	7,000 21,000	San Jose, Calif. Gilroy, Calif.	Kansas City, Mo. Kansas City, Mo.
8-19-54	B/L	Frozen Fruits	32,444	Sanger, Calif.	Kansas City, Mo. Kansas City, Kansas Wichita, Kansas
8-21-54	B/L	Frozen Berries	31,968	Los Angeles, Calif.	Milwaukee, Wisc.
8-24-54	B/L	Frozen Berries	20,200 9,000 2,250 4,500 3,600	San Jose, Calif. Modesto, Calif. San Martin, Calif. " " " "	Kansas City, Mo. Omaha, Nebr. Topeka, Kansas Omaha, Nebr. St. Joseph, Mo.
8-31-54	B/L	Fran FruitBerr.	13,050 13,760 5,100	San Martin, Calif. Sanger, Calif. Los Angeles, Calif.	Kansas City, Kansas " " " "
9-21-54	B/L	Frozen Berries	3,200 18,000	San Jose, Calif. " "	Kansas City, Kansas Wichita, Kansas
10-5-54	B/L	Frozen Vegetables	5,700 3,800	Chicago, Ill. " "	Wichita, Kansas Kansas City, Kansas
10-5-54	B/L	Frozen Vegetables	10,400	Salinas, Calif.	Kansas City, Mo.
10-11-54	B/L	Fran FruitBerr.	3,658 4,250	San Martin, Calif. Sanger, Calif.	Kansas City, Kansas " "
10-13-54	B/L	Frozen Fruits	30,656	Elberta, Mich.	Kansas City, Mo.
10-15-54	B/L	Frozen Vegetables	34,400	St. Louis, Mo.	Kansas City, Kansas Wichita, Kansas Springfield, Mo. Topeka, Kansas

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DATE	PRD	COMMODITY	WEIGHT	ORIGIN	DESTINATION
10-19-54	B/L	Frozen Vegetables	12,800	Los Angeles, Calif.	Kansas City, Kansas
		Frozen Berries	17,100	Patterson, Calif.	Kansas City, Mo.
		Frozen Fruits	9,350	Sanger, Calif.	Kansas City, Kansas
10-27-54	B/L	Frozen Fruits	32,000	Winchester, Va.	Kansas City, Kansas
10-28-54	B/L	Frozen Fruits	30,400	Muskegon, Mich.	Kansas City, Kansas
10-28-54	B/L	Frozen Vegetables	12,600	Ontario, Oregon	Wichita, Kansas
			24,200	" "	Kansas City, Kansas
10-30-54	B/L	FrenFruBerryVege.	6,300	Sanger, Calif.	Omaha, Nebr.
			4,100	" "	Wichita, Kansas
			12,300	" "	Kansas City, Kansas
			3,000	San Jose, Calif.	Omaha, Nebr.
11-1-54	B/L	Frozen Fruits	1,850	Sodus, Mich.	Topeka, Kansas
			3,200	Muskegon, Mich.	Springfield, Mo.
			4,800	" "	Topeka, Kansas
			20,800	" "	Kansas City, Kansas
11-3-54	B/L	Frozen Fruits	3,200	Sodus, Mich.	Tulsa, Okla.
			12,800	" "	Wichita, Kansas
11-10-54	B/L	Frozen Berries	11,502	Modesto, Calif.	Kansas City, Kansas
11-11-54	B/L	Frozen Vegetables	15,865	Kent, Wash.	Marshall, Mo.
			5,400	" "	Kansas City, Kansas
			9,900	" "	Wichita, Kansas
			10,500	Ontario, Oregon	Kansas City, Mo.
11-13-54	B/L	Frozen Berries	31,950	Patterson, Calif.	Kansas City, Kansas
					Kansas City, Mo.
11-15-54	B/L	Frozen Berries	30,213	Modesto, Calif.	Kansas City, Kansas
				Patterson, Calif.	
11-18-54	B/L	Frozen Vegetables	13,000	Lewiston, Idaho	Marshall, Mo.
			24,848	Prosser, Wash.	Omaha, Nebr.
11-18-54	B/L	Frozen Berries	21,765	Los Angeles, Calif.	Milwaukee, Wisc.
11-22-54	B/L	Frzn Vege&Berr.	13,500	Sanger, Calif.	Kansas City, Kansas
			5,400	Patterson, Calif.	" "
			5,400	" "	Kansas City, Mo.
			3,218	" "	Okla City, Okla.
			3,900	Modesto, Calif.	" "
11-23-54	B/L	Frozen Fruits	31,200	Winchester, Va.	Kansas City, Kansas
11-26-54	B/L	Frozen Vegetables	19,800	Prosser, Wash.	Marshall, Mo.
			18,360	" "	Kansas City, Kansas
12-2-54	B/L	Frozen Vegetables	20,550	Snohomish, Wash.	Kansas City, Mo.
			9,782	Caldwell, Idaho	Fairmont, Minn.
			3,250	" "	Kansas City, Mo.

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DATE	PRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
12-2-54	B/L	Fran Vege&Berr.	8,100	San Martin, Calif.	Joplin, Mo.
			22,486	Modesto, Calif.	Kansas City, Kansas
			1,400	" "	Wichita, Kansas
12-8-54	B/L	Frozen Berries	31,646	Fresno, Calif.	Kansas City, Kansas
12-9-54	B/L	Fran Vege&Berr.	13,500	San Martin, Calif.	Kansas City, Kansas
			5,427	Sanger, Calif.	Wichita, Kansas
			15,875	" "	Kansas City, Kansas
12-17-54	B/L	Frozen Fruits	1,500	Sodus, Mich.	Kansas City, Kansas
			9,600	Muskegon, Mich.	Wichita, Kansas
			5,925	Traverse City, Mich.	Hutchinson, Kansas
			13,825	" "	Kansas City, Kansas
12-21-54	B/L	Fran Vege&Berr.	4,100	Sanger, Calif.	Wichita, Kansas
			13,250	Santa Clara, Calif.	Kansas City, Mo.
			6,750	San Martin, Calif.	" "
			6,750	" "	Lincoln, Nebr.
			3,600	Patterson, Calif.	" "
12-23-54	B/L	Fran Vege&Berr.	10,200	Prosser, Wash.	Omaha, Nebr.
			2,040	" "	Marshall, Mo.
			2,200	Tacoma, Wash.	Kansas City, Kansas
			18,360	Lewiston, Idaho	Marshall, Mo.
			3,402	" "	Kansas City, Kansas
12-28-54	B/L	FranFruBerr&Vege.	19,518	Fresno, Calif.	St. Louis, Mo.
			8,780	Sanger, Calif.	Kansas City, Kansas
1-4-55	B/L	Frozen Vegetables	3,500	Arlington, Wash.	Topeka, Kansas
1-5-55	B/L	Frozen Vegetables	21,000	Ft. Smith, Ark.	Lafayette, Ind.
1-5-55	B/L	Frozen Vegetables	4,998	Kent, Wash.	Topeka, Kansas
1-6-55	7	Frozen Fruits	32,000	Muskegon, Mich.	Kansas City, Kansas
1-11-55	11	Frozen Vegetables	36,606	Lewiston, Idaho	Marshall, Mo.
				Prosser, Wash.	Oklahoma City, Okla.
1-21-55	37	Frozen Fruits	6,400	Winchester, Va.	Hutchinson, Kansas
			4,800	" "	Wichita, Kansas
			3,200	" "	Okla City, Okla.
			11,200	" "	Kansas City, Kansas
			4,800	" "	Springfield, Mo.
2-8-55	90	Frozen Fruits	9,420	Sodus, Mich.	Okla City, Okla.
			3,200	" "	Kansas City, Mo.
			2,250	" "	Kansas City, Kansas
			6,600	" "	Wichita, Kansas
			800	Muskegon, Mich.	Wichita, Kansas
			3,200	" "	Springfield, Mo.
			3,200	" "	Hutchinson, Kansas
2-11-55	98	Frozen Vegetables	16,500	Prosser, Wash.	Kansas City, Kansas
			2,060	" "	Marshall, Mo.
			17,680	Milton-Freewater, Ore.	" "

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DATE	PRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
2-16-55	95	Frozen Berries	16,740	Patterson, Calif.	Enid, Okla. Ardmore, Okla. Okla City, Okla. Kansas City, Mo.
2-16-55	110	Frozen Vegetables	10,600	Van Buren, Ark.	Marshall, Mo.
2-26-55	115	Frozen Vegetables		Chicago, Ill.	Fairmont, Minn.
2-26-55	118	Fran Veget&Berr.	13,500 9,825 17,150	Seattle, Wash. Tacoma, Wash. " "	Wichita, Kansas Kansas City, Kansas Wichita, Kansas
3-1-55	120	Fran Veget&Berr.	1,600 22,289 16,000	Seattle, Wash. Prosser, Wash. Lewiston, Idaho	Okla City, Okla. Marshall, Mo. Omaha, Nebr.
2-25-55	123	Frozen Fruits	6,400 25,600	Winchester, Va. " "	Okla City, Okla. Kansas City, Kansas
3-2-55	B/L	Frozen Berries	2,124	Kansas City, Kansas	Hutchinson, Kansas
3-3-55	125	Frozen Berries	34,000	San Jose, Calif.	Kansas City, Kansas
3-1-55	128	Frozen Berries	9,000 4,500	San Jose, Calif. " "	St. Joseph, Mo. Springfield, Mo.
3-9-55	129	Frozen Vegetables		Caldwell, Idaho	Fairmont, Minn.
3-1-55	131	Frozen Fruits	3,200 16,000	Muskegon, Mich. Sodus, Mich.	Wichita, Kansas " "
3-3-55	135	Frozen Fruits	8,690	Traverse City, Mich.	Kansas City, Kansas
3-7-55	138	Frozen Vegetables		Fairmont, Minn.	Memphis, Tenn. Jackson, Tenn.
3-8-55	143	Frozen Berries	13,689	San Martin, Calif.	Lincoln, Nebr.
3-16-55	153	Frozen Vegetables	30,089	Fairmont, Minn.	New York, N. Y.
3-22-55	B/L	Frozen Vegetables	15,031	Omaha, Nebr.	Okla City, Okla.
3-23-55	155	Fran Veget&Berr.	18,112	Prosser, Wash. Tacoma, Wash.	Okla City, Okla.
3-12-55	158	Frozen Vegetables	31,021	Fairmont, Minn.	Shreveport, La. New Orleans, La.
3-23-55	173	Frozen Berries	4,560	Kansas City, Kansas	Des Moines, Iowa
3-24-55	183	Frozen Fruits	3,200 7,600 3,200 15,160 1,700 1,700	Muskegon, Mich. " " " " " " Sodus, Mich. " "	Okla City, Okla. Hutchinson, Kansas " " Kansas City, Kansas Okla City, Okla. Kansas City, Kansas

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DATE	PRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
3-29-55	190	Frozen Berries	9,000	Burbank, Calif.	Tulsa, Okla.
4-1-55	193	Frozen Vegetables	19,500	Wenatchee, Wash.	Marshall, Mo.
4-7-55	213	Frozen Vegetables	22,620	Wenatchee, Wash.	Marshall, Mo.
4-5-55	221	Frozen Fruits	30,400	Muskegon, Mich.	Kansas City, Kansas
4-15-55	234	Frozen Fruits	6,630	Sodus, Mich.	Wichita, Kansas
			3,200	Muskegon, Mich.	Enid, Okla.
			6,400	" "	Wichita, Kansas
			6,400	" "	Hutchinson, Kansas
			9,600	" "	Okla City, Okla.
4-16-55	242	Frozen Vegetables		Ft. Smith, Ark.	Kansas City, Mo.
4-20-55	245	Frozen Vegetables	8,060	Seattle, Wash.	Okla City, Okla.
			19,500	Wenatchee, Wash.	Marshall, Mo.
			5,100	Seattle, Wash.	Van Buren, Ark.
4-20-55	250	Frozen Fruits	5,280	Omaha, Nebr.	Kansas City, Kansas
			4,000	" "	Springfield, Mo.
4-27-55	263	Fran FrukBerr.	9,000	Cumberland, Md.	Kansas City, Mo.
			19,200	Winchester, Va.	Kansas City, Kansas
4-28-55	273	Fran FrukBerr.	8,400	Benton Harbor, Mich.	Des Moines, Iowa
			8,400	" "	Tulsa, Okla.
			12,800	Sodus, Mich.	Wichita, Kansas
5-4-55	278	Frozen Vegetables	35,318	Wenatchee, Wash.	Van Buren, Ark. Marshall, Mo.
5-12-55	292	Frozen Vegetables	19,500	Wenatchee, Wash.	Marshall, Mo.
5-10-55	300	Fran VegetBerr.	3,321	Sanger, Calif.	Kansas City, Kansas
			4,800	Modesto, Calif.	" "
			16,920	" "	Des Moines, Iowa
			5,400	" "	St. Joseph, Mo.
			3,600	" "	Kansas City, Mo.
5-20-55	328	Frozen Vegetables	27,816	Modesto, Calif.	Marshall, Mo.
			10,187	" "	Macon, Mo.
5-25-55	343	Frozen Berries	43,141	Modesto, Calif.	Okla City, Okla.
5-27-55	344	Fran VegetBerr.	6,600	Yakima, Wash.	Wichita, Kansas
			3,795	" "	Hutchinson, Kansas
			1,650	" "	Kansas City, Kansas
			12,423	Seattle, Wash.	" "
			1,900	Tacoma, Wash.	Wichita, Kansas
			7,650	Prosser, Wash.	St. Joseph, Mo.
5-27-55	345	Frozen Berries	41,850	Fresno, Calif.	Kansas City, Kansas Kansas City, Mo.
5-31-55	360	Frozen Berries	13,925	San Jose, Calif.	Kansas City, Kansas
			21,800	" "	Topeka, Kansas

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DATE	[illegible]	COMMODITY	WEIGHT	ORIGIN	DESTINATION
6-1-55	363	Frozen Vegetables	36,600	Modesto, Calif.	Marshall, Mo.
6-3-55	363A	Frozen Berries	10,800	Modesto, Calif.	Kansas City, Kansas
			9,000	Fresno, Calif.	Kansas City, Mo.
			5,400	" "	St. Joseph, Mo.
			5,600	Patterson, Calif.	Kansas City, Mo.
6-3-55	369	Frozen Fruits	29,568	Sodus, Mich.	Hutchinson, Kansas
				Benton Harbor, Mich.	Springfield, Mo.
				Muskegon, Mich.	Kansas City, Kansas
					Wichita, Kansas
6-10-55	377	Frozen Berries	32,875	San Martin, Calif.	Lincoln, Nebr.
					Des Moines, Iowa
6-20-55	378	Frozen Vegetables	30,000	Los Angeles, Calif.	Fairmont, Minn.
6-8-55	381	Frozen Vegetables	3,350	Modesto, Calif.	Kansas City, Kansas
			33,580	" "	Marshall, Mo.
6-17-55	382	Frozen Vegetables	31,065	Modesto, Calif.	Carthage, Mo.
6-15-55	394	Frzn Vegetables	14,016	Patterson, Calif.	Kansas City, Mo.
			17	" "	Wichita, Kansas
6-14-55	395	Frozen Berries	39,435	San Jose, Calif.	Springfield, Mo.
				San Martin, Calif.	Carthage, Mo.
					Pittsburg, Kansas
6-15-55	396	Frozen Vegetables		Fairmont, Minn.	Chicago, Ill.
6-14-55	398	Frozen Fruits	30,875	San Martin, Calif.	Wichita, Kansas
6-14-55	402	Frozen Vegetables	15,525	Sanger, Calif.	Kansas City, Kansas
6-20-55	403	Frozen Vegetables	28,200	Fairmont, Minn.	Greensboro, N. C.
					Atlanta, Ga.
					Florida
6-22-55	410	Frozen Vegetables	5,000	Seattle, Wash.	Okla City, Okla.
			32,000	Lewiston, Idaho	Marshall, Mo.
6-25-55	413	Frozen Fruits	1,972	Sanger, Calif.	Albuquerque, N. M.
			28,950	" "	Okla City, Okla.
6-24-55	418	Frozen Vegetables	28,456	Fairmont, Minn.	Fort Wayne, Indiana
					Crideryille, Ohio
6-21-55	419	Frozen Fruits	16,000	Muskegon, Mich.	St. Joseph, Mo.
			3,200	" "	Lawrence, Kansas
			12,800	" "	Hutchinson, Kansas
6-25-55	422	Frozen Berries	27,798	Santa Clara, Calif.	Kansas City, Mo.
			7,200	Patterson, Calif.	" "
6-24-55	425	Frozen Berries	9,600	Watsonville, Calif.	Okla City, Okla.
			9,000	San Jose, Calif.	Tulsa, Okla.
			22,476	San Martin, Calif.	Okla City, Okla.

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DATE	PRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
7-5-55	434	Frozen Vegetables	30,000	San Francisco, Calif.	Fairmont, Minn.
7-1-55	439	Frozen Vegetables	30,600	Seattle, Wash.	Kansas City, Kansas Marshall, Mo.
7-6-55	452	Frozen Berries	22,075	Santa Clara, Calif.	Tulsa, Okla.
7-6-55	454	Frozen Fruits	30,400	Benton Harbor, Mich.	Kansas City, Kansas
7-21-55	455	Frozen Berries	16,300	San Jose, Calif.	Pittsburg, Kansas
7-5-55	461	Frozen Fruits	6,400 25,600	Benton Harbor, Mich. " "	Enid, Okla. Okla City, Okla.
7-10-55	470	Frozen Vegetables	21,240 10,620	Fairmont, Minn. " "	Topeka, Kansas Carthage, Mo.
7-15-55	475	Frozen Vegetables	35,100	Modesto, Calif.	Springdale, Ark.
7-12-55	476	Frozen Berries	14,788	Patterson, Calif.	Kansas City, Mo.
7-23-55	480	Frozen Vegetables	32,000	Fairmont, Minn.	Baltimore, Md. Washington, D. C.
7-16-55	483	Fran Vege&Berr.	39,800	Arlington, Wash. Tacoma, Wash. Prosser, Wash.	Emporia, Kansas St. Joseph, Mo. Macon, Mo.
7-18-55	485	Frozen Vegetables	31,590	Fairmont, Minn.	Peoria, Ill. Muncie, Ind. Toledo, Ohio
7-19-55	487	Frozen Berries	33,293	San Martin, Calif.	Topeka, Kansas Kansas City, Kansas Manhattan, Kansas
7-21-55	487	Frozen Fruits	27,000	Lawrence, Mich.	Grand Island, Nebr.
7-23-55	495	Frozen Berries	10,730	Watsonville, Calif.	Springfield, Mo.
7-19-55	498	Fran Vege&Berr.	41,225	Santa Clara, Calif.	Kansas City, Kansas Kansas City, Mo.
7-20-55	502	Frozen Fruits	32,000	Muskegon, Mich.	Topeka, Kansas Kansas City, Mo.
7-29-55	503	Frozen Vegetables	31,818	California	Fairmont, Minn.
7-29-55	503	Frozen Vegetables	11,072 15,487	Fairmont, Minn. " "	Kansas City, Mo. Joplin, Mo.
7-23-55	506	Frozen Fruits	5,800	Sanger, Calif.	Okla City, Okla.
8-10-55	507	Frozen Fruits	32,000	Erie, Pa.	Chicago, Ill.
8-2-55	510	Frozen Vegetables	32,808	Mt. View, Calif.	Fairmont, Minn.
8-6-55	510	Frozen Vegetables	32,746	Fairmont, Minn.	Jackson, Miss.

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DATE	PRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
8-6-55	514	Frozen Vegetables	31,788	Sacramento, Calif. Yuba City, Calif.	Fairmont, Minn.
8-6-55	514	Frozen Vegetables	28,098	Fairmont, Minn.	Indianapolis, Ind.
7-29-55	519	Frozen Vegetables	40,381	Prosser, Wash.	Kansas City, Kansas
7-29-55	523	Frozen Berries	5,600 13,000	San Martin, Calif. " "	Wichita, Kansas Kansas City, Kansas
7-29-55	524	Frozen Berries	39,838	San Martin, Calif.	Kansas City, Kansas
8-1-55	535	Frozen Berries	30,770	San Jose, Calif. Santa Rosa, Calif.	Enid, Okla. Pittsburg, Kansas Kansas City, Mo.
8-4-55	544	Frozen Berries	40,500	San Martin, Calif.	Kansas City, Kansas
8-16-55	545	Frozen Fruits	24,611	Benton Harbor, Mich.	Des Moines, Iowa Omaha, Nebr.
8-4-55	547	Frozen Berries	38,185	San Martin, Calif.	Kansas City, Kansas
8-4-55	547A	Frozen Vegetables	10,020	Ft. Smith, Ark.	Kansas City, Mo.
8-15-55	550	Frozen Vegetables	35,833	Modesto, Calif.	Fairmont, Minn.
8-13-55	550	Frozen Vegetables	30,000	Fairmont, Minn.	Charleston, S. C.
8-9-55	554	Frozen Berries	31,188	San Martin, Calif. Santa Clara, Calif.	Hutchinson, Kansas Wichita, Kansas
8-22-55	579	Frozen Vegetables	31,200	California	Springdale, Ark.
8-12-55	583	Frozen Berries	16,660 14,400	San Jose, Calif. " "	Topeka, Kansas Smith Center, Kansas
8-16-55	591	Frozen Fruits	6,800 18,900 11,150	Sanger, Calif. " " " "	Topeka, Kansas Kansas City, Kansas Wichita, Kansas
8-30-55	601	Frozen Vegetables	7,511	Ontario, Oregon	Denver, Colo.
8-27-55	610	Frozen Berries	6,875 1,440 27,900	San Jose, Calif. " " " "	Okla City, Okla. Topeka, Kansas Kansas City, Kansas
8-24-55	614	Frozen Vegetables	10,000	Kansas City, Kansas	Macon, Mo. Marshall, Mo.
9-7-55	632	Frozen Vegetables	10,000	Kansas City, Kansas	Marshall, Mo.
9-3-55	636	FrznFruBerrtVege.	28,375	Pomona, Calif. Sanger, Calif.	Kansas City, Kansas Topeka, Kansas
9-9-55	639A	Frozen Vegetables	28,345	Fairmont, Minn.	Birmingham, Ala. Atlanta, Ga. Jacksonville, Fla. Miami, Fla.

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DATE	PRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
9-7-55	648	Frozen Berries	9,000	Santa Clara, Calif.	Liberal, Kansas
			9,000	Watsonville, Calif.	Topeka, Kansas
			6,400	Santa Rosa, Calif.	Kansas City, Kansas
			2,200	" "	Meade, Kansas
			5,500	" "	Okla City, Okla.
			1,500	Petaluma, Calif.	Kansas City, Kansas
9-6-55	648	Frozen Vegetables	10,400	Kansas City, Kansas	Marshall, Mo.
9-12-55	652	Frozen Vegetables	18,867	Fairmont, Minn.	Wichita, Kansas
			10,762	" "	Liberal, Kansas
9-9-55	653	Frzn Fruit&Vege.	38,584	Prosser, Wash.	Kansas City, Kansas
10-8-55	668	Frozen Berries	24,000	Woodburn, Oregon	St. Joseph, Mo.
			4,500	Banks, Oregon	" "
9-16-55	675	Frozen Vegetables	28,266	Fairmont, Minn.	Dallas, Texas Ft. Worth, Texas San Antonio, Texas
9-21-55	690	Frozen Vegetables	37,731	Prosser, Wash.	Kansas City, Kansas
9-24-55	699	Frzn Vege&Berr.	13,500	Watsonville, Calif.	Springfield, Mo.
			13,750	" "	Kansas City, Kansas
			5,200	Salinas, Calif.	" "
9-24-55	699	Frozen Vegetables	15,592	Kansas City, Kansas	Marshall, Mo.
10-1-55	709	Frozen Vegetables	17,267	Fairmont, Minn.	Lima, Ohio
			14,593	" "	Dayton, Ohio
10-1-55	709	Frozen Vegetables	14,107	Fairmont, Minn.	Smith Center, Kansas
			1,770	" "	Kansas City, Mo.
			13,806	" "	St. Joseph, Mo.
			5,090	" "	Topeka, Kansas
10-6-55	715	Frozen Vegetables	31,982	Fairmont, Minn.	Kansas City, Mo.
9-30-55	722	Frzn Vege&Berr.	15,800	Tacoma, Wash.	Kansas City, Kansas
			20,387	Prosser, Wash.	Marshall, Mo.
10-3-55	725	Frozen Vegetables	17,071	Fairmont, Minn.	Houston, Texas
			8,996	" "	San Antonio, Texas
			7,236	" "	Dallas, Texas
10-6-55	735	Frozen Vegetables	30,247	Fairmont, Minn.	New Orleans, La.
10-4-55	740	Frozen Berries	440	Sodus, Mich.	Springfield, Mo.
			550	" "	Pittsburg, Kansas
			6,600	" "	Kansas City, Kansas
			9,600	Muskegon, Mich.	Springfield, Mo.
			11,200	" "	Pittsburg, Kansas
10-17-55	744	Frozen Vegetables	30,309	Fairmont, Minn.	Austin, Texas San Antonio, Texas Okla City, Okla.

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DATE	FRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
10-7-55	748	Frozen Vegetables	26,555	Fairmont, Minn.	Amarillo, Texas
10-8-55	755	Frozen Vegetables	16,372	Fairmont, Minn.	Carthage, Mo.
10-13-55	769	Frozen Vegetables	31,770	Prosser, Wash.	Kansas City, Kansas
10-19-55	790	Fran Fruit&Berr.	10,700	Sanger, Calif.	Kansas City, Kansas
			18,000	Modesto, Calif.	" "
10-19-55	790	Frozen Vegetables	20,020	Kansas City, Kansas	Marshall, Mo.
10-29-55	793	Frozen Vegetables	23,703	Fairmont, Minn.	Philadelphia, Pa.
			6,982	" "	Pittsburg, Pa.
10-21-55	795	Fran Vege&Berr.	26,575	Watsonville, Calif.	Kansas City, Kansas
				" "	Wichita, Kansas
				" "	Topeka, Kansas
			4,160	Salinas, Calif.	Marshall, Mo.
10-22-55	798A	Frozen Vegetables	27,511	Fairmont, Minn.	Lincoln, Nebr.
10-26-55	798A	Frozen Vegetables	17,162	Fairmont, Minn.	Little Rock, Ark.
			7,025	" "	Tuscaloosa, Ala.
			6,650	" "	New Orleans, La.
10-25-55	803	Frozen Vegetables	41,094	Prosser, Wash.	Kansas City, Kansas
10-31-55	808	Frozen Vegetables	10,020	Kansas City, Kansas	Marshall, Mo.
10-27-55	808	Frozen Berries	6,800	Watsonville, Calif.	Hutchinson, Kansas
			1,575	San Jose, Calif.	" "
10-28-55	815	Frozen Vegetables	10,177	Fairmont, Minn.	Smith Center, Kansas
			4,496	" "	Meade, Kansas
			3,540	" "	Wichita, Kansas
			3,455	" "	Topeka, Kansas
			8,351	" "	St. Joseph, Mo.
11-2-55	830	Frozen Vegetables	38,674	Prosser, Wash.	Kansas City, Kansas
11-9-55	834	Frozen Vegetables	28,075	Watsonville, Calif.	Fairmont, Minn.
11-1-55	836	Frozen Fruits	9,600	Muskegon, Mich.	Topeka, Kansas
			9,600	" "	Okla City, Okla.
11-8-55	841	Frozen Vegetables	11,965	Fairmont, Minn.	Kansas City, Mo.
			18,339	" "	New Orleans, La.
11-17-55	845	Frozen Vegetables	39,728	Salinas, Calif.	Trenton, Mo.
11-4-55	850	Frozen Berries	40,325	Santa Clara, Calif.	Wichita, Kansas
				San Martin, Calif.	Kankakee, Ill.
				San Jose, Calif.	Kansas City, Kansas
11-7-55	852	Fran Vege&Berr.	36,076	Modesto, Calif.	Meade, Kansas
				Santa Clara, Calif.	Kansas City, Kansas
				Patterson, Calif.	

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DATE	PRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
11-8-55	854	Fran Veget&Berr.	2,160	Ft. Smith, Ark.	Leavenworth, Kansas
11-9-55	864	FranFruBerr&Vege.	4,100	Watsonville, Calif.	Kansas City, Kansas
			11,600	Sanger, Calif.	" "
			13,750	Santa Clara, Calif.	" "
11-16-55	869A	Frozen Vegetables	8,527	Fairmont, Minn.	Ft. Worth, Texas
			10,082	" "	Dallas, Texas
			8,526	" "	Austin, Texas
			5,310	" "	Houston, Texas
11-23-55	902	Frozen Fruits	29,926	Fairport, N. Y.	Kansas City, Mo.
11-28-55	912	Frozen Vegetables	33,000	San Francisco, Calif.	Milwaukee, Wisc.
11-25-55	915	Frozen Berries	13,800	Watsonville, Calif.	Kansas City, Mo.
			17,401	Santa Clara, Calif.	Kansas City, Kansas
			1,400	San Martin, Calif.	Topeka, Kansas
11-25-55	919	Frozen Vegetables	8,935	Fairmont, Minn.	Little Rock, Ark.
			10,413	" "	Memphis, Tenn.
			11,157	" "	New Orleans, La.
11-25-55	922	Frozen Vegetables	9,981	Fairmont, Minn.	Topeka, Kansas
			4,387	" "	Wichita, Kansas
			19,320	" "	Okla City, Okla.
11-28-55	932	Fran FruitBerr.	1,080	Yuba City, Calif.	Kansas City, Kansas
			4,500	Watsonville, Calif.	Topeka, Kansas
			5,875	" "	Kansas City, Mo.
			7,847	" "	Kansas City, Kansas
			13,750	Santa Clara, Calif.	" "
12-5-55	934	Frozen Vegetables	7,661	Fairmont, Minn.	Birmingham, Ala.
			4,340	" "	Dewey, Fla.
			5,266	" "	Umatilla, Fla.
			14,005	" "	Jacksonville, Fla.
12-5-55	940	FranFruBerr&Vege.	9,600	Patterson, Calif.	Kansas City, Mo.
			1,800	Modesto, Calif.	" "
			5,752	Watsonville, Calif.	" "
12-6-55	941	Frozen Berries	8,800	Ft. Smith, Ark.	Kansas City, Mo.
12-12-55	945	Frozen Vegetables	8,749	Fairmont, Minn.	Little Rock, Ark.
			11,277	" "	Shreveport, La.
			9,543	" "	New Orleans, La.
12-6-55	946A	Frozen Fruits	30,016	Webster, N. Y.	Kansas City, Kansas
12-5-55	948	Fran FruitVege.	12,550	Sanger, Calif.	Kansas City, Mo.
			1,746	Modesto, Calif.	" "
			12,800	Patterson, Calif.	" "
			11,250	Beaumont, Calif.	Kansas City, Kansas
12-14-55	954	Frozen Vegetables	24,180	Fairmont, Minn.	Smith Center, Kansas Austin, Texas Houston, Texas San Antonio, Texas

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DATE	PRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
12-10-55	954	Frozen Vegetables	32,820	Carrizo Springs,Tex.	Kansas City, Mo.
12-10-55	961	Fran Vege&Berr.	26,100	Watsonville, Calif.	Kansas City, Mo.
			3,200	Santa Clara, Calif.	" "
12-7-55	968	Frozen Fruits	3,200	Muskegon, Mich.	Great Bend, Kansas
			16,000	" "	Hutchinson, Kansas
			10,080	Sodus, Mich.	Kansas City, Kansas
12-9-55	973	Frozen Berries	3,300	Watsonville, Calif.	Kansas City, Mo.
			13,500	San Jose, Calif.	" "
			16,500	" "	Pittsburg, Kansas
12-9-55	976	Frozen Fruits	26,528	Traverse City, Mich.	Kansas City, Mo.
12-8-55	981	Fran Vege&Berr.	13,730	Ft. Smith, Ark.	Kansas City, Mo.
12-20-55	984	Frozen Fruits	35,200	Albany, Oregon	Ft. Worth, Texas
12-15-55	989	Frozen Fruits	32,000	Winchester, Va.	Kansas City, Kansas
12-16-55	1001	Fran Fru&Berr.	25,500	Sanger, Calif.	Kansas City, Kansas
			6,300	San Jose, Calif.	Springfield, Mo.
			9,000	" "	Wichita, Kansas
12-24-55	1012	Frozen Vegetables	12,429	Fairmont, Minn.	Dallas, Texas
			6,103	" "	Houston, Texas
			13,862	" "	San Antonio, Texas
12-22-55	1021	Frozen Fruits	12,800	Winchester, Va.	Wichita, Kansas
12-29-55	1053	Frozen Berries	23,128	Chehalis, Wash.	Kansas City, Mo.
1-5-56	1055	Frozen Vegetables	35,000	San Francisco, Calif.	Milwaukee, Wisc.
12-31-55	1059	Frozen Fruits	30,400	Williamson, N. Y.	Kansas City, Kansas
1-11-56	1060	Frozen Vegetables	12,538	Modesto, Calif.	Kansas City, Mo.
			17,173	" "	Dardanelle, Ark.
1-4-56	1065	Frozen Vegetables	27,572	Carrizo Springs,Tex.	Kansas City, Mo.
			6,367	" "	Topeka, Kansas
1-16-56	1070	Frozen Vegetables	10,266	Fairmont, Minn.	Omaha, Nebr.
			16,231	" "	Lincoln, Nebr.
			7,626	" "	Grand Island, Nebr.
1-9-56	1073	Frozen Vegetables	11,213	Fairmont, Minn.	Okla City, Okla.
			14,557	" "	Dallas, Texas
			6,832	" "	Austin, Texas
			4,470	" "	Houston, Texas
1-17-56	1093	Fran Fru Berr&Vege.	6,950	Santa Clara, Calif.	Kansas City, Mo.
			14,200	Sanger, Calif.	" "
			3,025	Modesto, Calif.	" "
1-13-56	1095	Fran Vege&Berr.	18,664	Snohomish, Wash.	Kansas City, Mo.

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DATE	PRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
1-23-56	1106	Frozen Berries	35,000	Mt. Vernon, Wash.	Kansas City, Mo.
2-13-56	1113	Frozen Berries	3,582	Modesto, Calif.	St. Joseph, Mo.
			10,800	" "	Wichita, Kansas
			9,000	" "	Tulsa, Okla.
			15,985	Watsonville, Calif.	Wichita, Kansas
1-30-56	1120	Frozen Fruits	23,120	Traverse City, Mich.	Okla City, Okla.
1-20-56	1126	Frozen Vegetables	29,997	Fairmont, Minn.	Memphis, Tenn. Jackson, Miss. New Orleans, La.
1-26-56	1127	Frozen Fruits	13,504	Traverse City, Mich.	Kansas City, Mo.
1-25-56	1129	Frozen Vegetables	23,663	Fairmont, Minn.	Dallas, Texas
			7,911	" "	Little Rock, Ark.
1-28-56	1129	Frozen Vegetables	34,173	Carrine Springs, Tex.	Kansas City, Mo.
1-18-56	1132	Frozen Vegetables	12,961	Ft. Smith, Ark.	Kansas City, Mo.
1-26-56	1133	Frozen Vegetables	35,260	Fairmont, Minn.	Memphis, Tenn. Jackson, Miss. New Orleans, La.
1-26-56	1136	Fruz VegetBerr.	39,200	Snohomish, Wash.	Kansas City, Mo.
2-7-56	1144	Frozen Vegetables	3,900	Omaha, Nebr.	Marshall, Mo.
			17,940	" "	Kansas City, Kansas
1-30-56	1147	Frozen Vegetables	4,903	Fairmont, Minn.	Okla City, Okla.
			26,368	" "	Dallas, Texas
1-27-56	1153	Fruz FruitVege.	21,560	Sanger, Calif.	Kansas City, Mo.
			12,348	Modesto, Calif.	" "
2-6-56	1157	Frozen Vegetables	6,591	Fairmont, Minn.	Omaha, Nebr.
			7,406	" "	Lincoln, Nebr.
			20,617	" "	Wichita, Kansas
2-6-56	1157A	Frozen Fruits	22,400	Winchester, Va.	Kansas City, Kansas
			6,400	" "	Springfield, Mo.
			3,200	" "	Okla City, Okla.
1-31-56	1160	Frozen Vegetables	17,287	Fairmont, Minn.	Little Rock, Ark.
			15,307	" "	Jackson, Miss.
1-30-56	1169	Frozen Berries	11,000	Santa Clara, Calif.	Kansas City, Kansas
			18,000	Watsonville, Calif.	Topeka, Kansas
			8,358	Pomona, Calif.	" "
			1,440	Modesto, Calif.	" "

DATE	PRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
2-9-56	1195	Frozen Vegetables	6,673	Fairmont, Minn.	Dallas, Texas
			7,460	" "	Ft. Worth, Texas
			11,478	" "	San Antonio, Texas
			3,384	" "	Houston, Texas
2-10-56	1196	Frozen Berries	39,484	San Martin, Calif. Santa Clara, Calif. San Jose, Calif. Watsonville, Calif.	Pittsburg, Kansas Kansas City, Kansas Springfield, Mo.
2-13-56	1198	Frozen Vegetables	12,063	Fairmont, Minn.	Omaha, Nebr.
			8,419	" "	Lincoln, Nebr.
			13,483	" "	Wichita, Kansas
2-10-56	1203	Frozen Vegetables	13,810	Ft. Smith, Ark.	Kansas City, Mo.
2-11-56	1205	Frozen Vegetables	15,491	Fairmont, Minn.	Dallas, Texas
			12,077	" "	San Antonio, Texas
2-14-56	1215	FrznFruBerrsVege.	19,477	Santa Clara, Calif.	Kansas City, Mo.
			3,200	Modesto, Calif.	" "
			3,200	San Martin, Calif.	Ft. Smith, Ark.
2-25-56	1225	Frozen Vegetables	6,900	Carrizo Springs, Tex.	Topeka, Kansas
			25,924	" "	Kansas City, Mo.
2-27-56	1227	Frozen Fruits	25,025	Muskegon, Mich.	Wichita, Kansas
2-28-56	1237	Frzn FruVege.	29,532	Modesto, Calif.	Kansas City, Mo.
			10,500	Sanger, Calif.	" "
2-21-56	1238	Frozen Berries	41,850	San Jose, Calif.	Okla City, Okla.
2-27-56	1239	Frozen Berries	29,130	Snohomish, Wash.	Kansas City, Mo.
2-29-56	1242	Frozen Vegetables	31,190	Watsonville, Calif.	Fairmont, Minn.
2-23-56	1245	Frozen Berries	25,938	Watsonville, Calif.	Kansas City, Kansas
			5,400	San Jose, Calif.	Topeka, Kansas
			5,000	" "	Springfield, Mo.
			7,200	" "	Kansas City, Mo.
2-29-56	1248	Frozen Berries	36,150	Santa Clara, Calif.	Okla City, Okla. Tulsa, Okla.
2-24-56	1250	Frozen Berries	9,075	Watsonville, Calif.	Topeka, Kansas
			33,120	San Jose, Calif.	" "
2-29-56	1254	Frozen Berries	9,918	San Jose, Calif.	Pittsburg, Kansas
			33,000	" "	Kansas City, Kansas
2-27-56	1260	Frozen Berries	39,150	San Jose, Calif.	Kansas City, Mo.
			3,600	" "	Wichita, Kansas
3-10-56	1260	Frozen Fruits	6,080	Muskegon, Mich.	Okla City, Okla.
			4,800	" "	Pittsburg, Kansas
			3,200	" "	Carthage, Mo.
			9,600	" "	St. Joseph, Mo.

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DATE	PRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
3-9-56	1261	Fran Vege&Berr.	22,342	Santa Clara, Calif.	Kansas City, Mo.
			9,000	Watsonville, Calif.	" "
			1,160	Sanger, Calif.	" "
3-9-56	1262	Frozen Fruits	30,400	Williamson, N. Y.	Kansas City, Kansas
3-5-56	1265	Frozen Berries	33,220	Watsonville, Calif.	Wichita, Kansas
			10,980	San Jose, Calif.	Kansas City, Kansas
3-5-56	1267	Frozen Berries	43,200	San Jose, Calif.	Wichita, Kansas
3-3-56	1269	Frozen Fruits	29,225	Traverse City, Mich.	Hutchinson, Kansas
					Kansas City, Kansas
3-6-56	1274A	Frozen Berries	23,400	Modesto, Calif.	Des Moines, Iowa
			24,775	Santa Clara, Calif.	Kansas City, Mo.
3-10-56	1276A	Frozen Fruits	16,800	Winchester, Va.	Kansas City, Kansas
			3,200	" "	Okla City, Okla.
3-14-56	1278	Fran Fru&Vege.	38,590	Portland, Oregon	Tulsa, Okla.
3-7-56	1290	Frozen Vegetables	11,160	Carrizo Springs, Tex.	Kansas City, Mo.
3-20-56	1301	Frozen Berries	14,000	Mt. Vernon, Wash.	Kansas City, Mo.
3-20-56	1305	Frozen Fruits	9,600	Sanger, Calif.	Kansas City, Mo.
3-15-56	1309	Frozen Vegetables	30,518	Van Buren, Ark.	New York, N. Y.
3-22-56	1329	Frozen Vegetables	28,312	Carrizo Springs, Tex.	Kansas City, Mo.
4-10-56	1362	Frozen Vegetables	19,584	Modesto, Calif.	Kansas City, Mo.
			3,200	Watsonville, Calif.	" "
3-9-56	1374	Frozen Fruits	35,000	Kansas City, Mo.	Los Angeles, Calif.
					San Francisco, Calif.
4-12-56	1374	Frozen Berries	18,000	Gilroy, Calif.	Liberal, Kansas
			5,076	Watsonville, Calif.	Kansas City, Mo.
4-12-56	1377	Fran Fru&Vege.	20,416	Traverse City, Mich.	Kansas City, Mo.
			3,000	Coloma, Mich.	Springdale, Ark.
4-12-56	1378	Fran Vege&Berr.	36,163	Snohomish, Wash.	Kansas City, Mo.
4-3-56	1378A	Frozen Vegetables	21,000	Carrizo Springs, Tex.	Kansas City, Mo.
4-16-56	1383	Frozen Berries	37,436	Vancouver, Wash.	Kansas City, Mo.
4-10-56	1384	Frozen Vegetables	4,170	Ft. Smith, Ark.	Kansas City, Mo.
4-16-56	1391	Frozen Vegetables	37,300	Portland, Oregon	Tulsa, Okla.
				Weston, Oregon	
				Caldwell, Idaho	
4-18-56	1400	Fran Fru&Vege.	39,601	Modesto, Calif.	Kansas City, Mo.
				Los Angeles, Calif.	Kansas City, Kansas
				Norwalk, Calif.	

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DATE	PRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
4-18-56	1424	Frozen Vegetables	15,963	Winnebago, Minn.	Marshall, Mo.
			9,724	Omaha, Nebr.	" "
4-30-56	1442	Frozen Vegetables	12,843	Kansas City, Mo.	Modesto, Calif.
4-25-56	1448	Frozen Fruits	25,600	Winchester, Va.	Kansas City, Kansas
			6,368	" "	Springfield, Mo.
5-8-56	1472	Frozen Vegetables	38,045	Portland, Oregon	Tulsa, Okla.
				Caldwell, Idaho	Okla City, Okla.
				Watsonville, Calif.	
4-30-56	1473	Frozen Vegetables	15,300	Winnebago, Minn.	Marshall, Mo.
			16,218	" "	St. Joseph, Mo.
5-8-56	1474	Frozen Fruits	4,000	Winchester, Va.	Hutchinson, Kansas
			6,400	" "	Wichita, Kansas
			3,200	" "	Okla City, Okla.
5-15-56	1511	Frozen Vegetables	13,055	Ft. Smith, Ark.	Kansas City, Mo.
5-18-56	1512	Frozen Berries	16,100	Mariensville, Mo.	St. Paul, Minn.
			2,800	" "	St. Cloud, Minn.
			4,200	" "	Minneapolis, Minn.
			3,200	Carthage, Mo.	" "
5-12-56	1514	Frozen Berries	30,600	Ft. Smith, Ark.	Minneapolis, Minn.
5-21-56	1522	Fran Fru&Vege.	25,300	Modesto, Calif.	Kansas City, Mo.
			9,600	Sanger, Calif.	" " "
5-24-56	1527	Frozen Vege.	20,000	Snohomish, Wash.	Kansas City, Mo.
5-18-56	1528	Frozen Fruits	26,560	Muskegon, Mich.	Kansas City, Kansas
			5,440	" "	Topeka, Kansas
5-14-56	1529	Frozen Berries	12,600	Little Rock, Ark.	Kansas City, Kansas
5-17-56	1530	Frozen Berries	9,882	Carthage, Mo.	Kansas City, Mo.
			13,300	" "	Smith Center, Kansas
5-24-56	1535	Fran Fru&Vege.	24,624	Modesto, Calif.	Kansas City, Mo.
			14,280	Sanger, Calif.	" " "
5-29-56	1536	FranFruBerr&Vege	15,444	Snohomish, Wash.	Kansas City, Mo.
			23,120	Sanger, Calif.	" " "
5-21-56	1541	Frozen Fruits	32,000	Muskegon, Mich.	St. Joseph, Mo.
5-16-56	1541	Frozen Berries	27,000	Little Rock, Ark.	Elkhart, Ind.
			3,600	" " "	Kankakee, Ill.
5-19-56	1544	Frozen Berries	4,440	Benton Harbor, Mich.	Kansas City, Kansas
			16,700	Sodus, Mich.	" " "
			2,430	" "	Okla. City, Okla.
5-24-56	1553	Frozen Berries		Carthage, Mo.	Milwaukee, Wisconsin

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DATE	PRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
5-20-56	1558	Frozen Berries	3,600	Little Rock, Ark.	St. Joseph, Mo.
			19,800	" " "	Kansas City, Mo.
			1,800	" " "	Pittsburg, Kansas
5-21-56	1559	Frozen Berries	9,000	Carthage, Mo.	Chicago, Ill.
			21,500	" "	Decatur, Ill.
5-23-56	1561	Frozen Berries	30,600	Ft. Smith, Ark.	Minneapolis, Minn.
5-25-56	1568	Frozen Berries	30,800	Turlock, Calif.	Kansas City, Kansas
6-4-56	1583	Frozen Berries	9,000	Watsonville, Calif.	Kansas City, Kansas
			5,400	" "	Kansas City, Mo.
6-1-56	1585	Fran Fruit&Vege.	26,100	Traverse City, Mich.	Kansas City, Mo.
			4,000	Lawrence, Mich.	" "
5-31-56	1598	Frozen Vegetables	16,677	Winnebago, Minn.	St. Joseph, Mo.
			15,300	" "	Marshall, Mo.
6-8-56	1608	Frozen Vegetables	34,812	Modesto, Calif.	Kansas City, Mo.
6-14-56	1615	Frozen Berries	9,000	Watsonville, Calif.	Kansas City, Mo.
			9,000	" "	St. Joseph, Mo.
			810	" "	Kansas City, Mo.
6-7-56	1620	Frozen Berries	33,280	Prairie Grove, Ark.	Dallas, Texas
6-12-56	1627	Frozen Berries	30,000	Prairie Grove, Ark.	Des Moines, Iowa
6-12-56	1628	Frozen Berries	39,200	Turlock, Calif.	Kansas City, Kansas
6-25-56	1641	Frozen Fruits		Kansas City, Mo.	Ogden, Utah Los Angeles, Calif.
6-15-56	1647	Frozen Berries	36,500	San Martin, Calif. Watsonville, Calif. Patterson, Calif.	Des Moines, Iowa
7-7-56	1662	Frozen Berries	36,000	Watsonville, Calif.	Green Bay, Wisc.
7-7-56	1662	Frozen Fruits	29,750	Frankfort, Mich.	Seattle, Wash. Boise, Idaho Salt Lake City, Utah
7-10-56	1662	Frozen Vegetables	36,400	Prosser, Wash.	Dardanelle, Ark.
6-23-56	1670	Frozen Berries	43,200	San Martin, Calif.	Wichita, Kansas
6-22-56	1672	Frozen Berries	9,000	San Jose, Calif.	St. Joseph, Mo.
			9,000	" "	Sedalia, Mo.
			18,000	" "	Kansas City, Mo.
6-26-56	1673	Frozen Vegetables	23,613	Modesto, Calif.	Dardanelle, Ark.
			16,361	" "	Kansas City, Mo.

DATE	PRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
6-29-56	1675	Frozen Fruits	31,000	Frankfort, Mich.	Portland, Oregon
6-22-56	1678	Frozen Berries	35,000	Fresno, Calif.	Marionville, Mo.
6-28-56	1680	Frozen Fruits	24,850	Frankfort, Mich.	Tulsa, Okla. Okla City, Okla.
7-2-56	1683	Frozen Vegetables	32,760	Caldwell, Idaho	Houston, Texas Okla City, Okla.
7-4-56	1685	Frozen Fruits	16,000 6,400	Winchester, Va. " "	Kansas City, Kansas Springfield, Mo.
7-2-56	1705	Frozen Vegetables	10,880 9,384 9,517	Fairmont, Minn. " " " "	Omaha, Nebr. St. Joseph, Mo. Carthage, Mo.
7-1-56	1706	Frozen Vegetables	36,400	Milton-Freewater, Ore.	Council Bluffs, Iowa
7-7-56	1709	Frzn Vegetberr.	3,650	Ft. Smith, Ark.	Kansas City, Mo.
7-10-56	1712	Frozen Vegetables	13,114 5,040 3,200 3,450	Ontario, Oregon " " " " " "	St. Louis, Mo. Kansas City, Mo. Okla City, Okla. Hutchinson, Kansas
7-14-56	1714	Frozen Fruits	32,000	Traverse City, Mich.	Kansas City, Mo.
7-6-56	1717	Frozen Vegetables	36,400	Milton-Freewater, Ore.	Kansas City, Mo.
7-10-56	1719	FrznFruBerr&Vege.	5,400 6,942 17,311 4,200	Modesto, Calif. " " Sanger, Calif. Watsonville, Calif.	St. Joseph, Mo. Kansas City, Mo. " " " "
7-19-56	1730	Frozen Vegetables	13,770 13,176 9,000	Modesto, Calif. " " Sanger, Calif.	Dardanelle, Ark. Kansas City, Mo. " "
7-14-56	1736	Frozen Berries	26,400 9,000	San Martin, Calif. Santa Clara, Calif.	Des Moines, Iowa " "
7-14-56	1738	Frozen Berries	38,500	Salem, Oregon	Kansas City, Mo.
7-12-56	1741	Frozen Vegetables	12,450 7,600	Paramount, Calif. " "	Omaha, Nebr. Kansas City, Kansas
7-24-56	1744	Frozen Berries	16,568	Watsonville, Calif.	Kansas City, Mo.
7-21-56	1751	Frzn Vegetberr.	39,933	Portland, Oregon Modesto, Calif.	Tulsa, Okla. Okla City, Okla.

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DATE	PRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
7-20-56	1752	Frozen Vege.	33,800	Prosser, Wash.	Dardanelle, Ark.
7-18-56	1756	Frozen Fruits	32,000	Lawrence, Mich.	Kansas City, Mo.
7-20-56	1758	Frozen Vege.	38,480	Salinas, Calif.	Kansas City, Kans.
7-10-56	1762	Frozen Berries	9,600	Watsonville, Calif.	Kansas City, Mo.
7-24-56	1763	Frzn Vege&Berr.	25,200 13,032	California " "	Tulsa, Okla. Okla City, Okla.
7-23-56	1764	Frozen Berries	32,400	California	Okla City, Okla.
8-8-56	1775	Frozen Berries	39,200	Salem, Oregon	Kansas City, Mo.
8-8-56	1781	Frozen Berries	3,200	Watsonville, Calif.	Kansas City, Mo.
8-16-56	1784	Frzn Vege&Berr.	22,400 11,250	Snohomish, Wash. Puyallup, Wash.	Kansas City, Mo. Kansas City, Mo.
8-8-56	1789	Frozen Vege.	10,656	Modesto, Calif.	Kansas City, Mo.
8-1-56	1800	Frozen Vege.	10,500	Snohomish, Wash.	Kansas City, Mo.
8-1-56	1801	Frozen Berries	3,150 3,150	Modesto, Calif. Modesto, Calif.	Kansas City, Kans. Wichita, Kansas
8-3-56	1806	Frozen Berries	5,400 14,650 18,000	San Martin, Calif. Watsonville, Calif. Santa Clara, Calif.	Des Moines, Iowa. Sioux City, Iowa " " "
8-16-56	1808	Frzn Vege&Berr	12,250 1,750	Pendleton, Ore. Snohomish, Wash.	Kansas City, Mo. " " "
8-8-56	1812	Frozen Fruits	29,925 2,250	Traverse City, Mich. Lawrence, Mich.	Hutchinson, Kansas Kansas City, Mo.
8-6-56	1813	Frozen Berries	30,000	Carthage, Mo.	Boston, Mass.
8-8-56	1822	Frozen Vege.	36,400	Hilton-Worcester, Ore.	Springdale, Ark.
8-9-56	1823	Frozen Berries	22,574 10,350 1,600	San Martin, Calif. " " " " " "	Lincoln, Nebr. Omaha, Nebr. Baldridge, Nebr.
8-8-56	1824	Frzn Fruit&Berr	29,400	Winchester, Va.	Kansas City, Kansas
8-11-56	1830	Frzn Vege.	37,440	Salinas, Calif.	Dardanelle, Ark.
8-29-56	1840	Frzn Vege&Berr	23,400 9,342	Pendleton, Ore. Snohomish, Wash.	Kansas City, Mo. " " "
8-15-56	1844	Frozen Fruit	15,200 6,400 3,200 6,400	Manistee, Mich " " " " " "	Topeka, Kansas Omaha, Nebraska Columbus, Nebr. Sioux City, Iowa
9-7-56	1851	Frozen Vege.	14,160	Fairmont, Minn.	Topeka, Kansas

DATE	FRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
8-24-56	1855	Frozen Vege.	9,882	Santa Clara, Calif.	Wichita, Kans.
			4,950	" " "	Oklahoma City, Okla.
8-28-56	1862	Frozen Berries	17,810	Puyallup, Wash.	Kansas City, Mo.
8-25-56	1873	Frozen Vege.	30,908	Fairmont, Minn.	Wichita, Kansas.
9-10-56	1901	Frozen Vege.	31,350	Fairmont, Minn.	Dallas, Texas Fort Worth, Texas San Antonio, Texas
8-29-56	1911	Frozen Fruits	31,200	Ludington, Mich.	Kansas City, Mo.
9-8-56	1921	Frzn Vege&Berr.	20,400	Kent, Wash.	Kansas City, Kans.
			4,653	Tacoma, Wash.	" " "
9-15-56	1926	Frozen Vegetables	25,116	Modesto, Calif.	Kansas City, Mo.
			7,200	Santa Clara, Calif.	" " "
9-5-56	1927	Frozen Fruits	5,600	Winchester, Va.	Kansas City, Kansas
			9,600	" "	Tulsa, Okla.
			16,000	" "	Okla. City, Okla.
9-15-56	1935	Frozen Berries	38,556	Watsonville, Calif.	Kansas City, Mo.
9-18-56	1949	Frozen Vege.	7,450	Mt. Vernon, Wash.	Okla. City, Okla.
			15,000	" " "	Wichita, Kansas
9-22-56	1969	Frzn Fru&Vege.	27,600	Sanger, Calif.	Kansas City, Mo.
			9,993	Watsonville, Calif.	" " "
9-20-56	1977	Frozen Vege.	30,650	Ft. Smith, Ark.	Birmingham, Ala. Tampa, Fla.
9-29-56	1986	Frozen Vege.	24,925	Modesto, Calif	Kansas City, Mo.
			5,400	Sanger, Calif.	" " "
			8,250	Santa Clara, Calif.	" " "
9-25-56	1989	Frozen Vege.	4,200	Kent, Wash.	Oklahoma City, Okla.
10-11-56	1991	Frozen Berries	32,992	Los Angeles, Calif.	Ft. Smith, Ark.
9-10-56	1992	Frozen Fruits	36,650	Patterson, Calif.	Kansas City, Mo.
9-29-56	2000	Frozen Vege.	35,560	Modesto, Calif.	Kansas City, Mo. Carthage Mo.
9-26-56	2013A	Frozen Fruits	32,000	Winchester, Va.	Kansas City, Kansas
10-6-56	2014	FrznFru&BerrVege	17,262	Santa Clara, Calif.	Kansas City, Mo.
			8,400	Watsonville, Calif.	" " "
			3,074	Modesto, Calif.	Topeka, Kansas
			2,178	Sanger, Calif.	Kansas City, Mo.
			4,140	Watsonville, Calif.	Kansas City, Mo.
10-6-56	2017	Frozen Berries	12,600	San Jose, Calif.	Wichita, Kansas
10-10-56	2025	FrznVege&Berr	24,704	Modesto, Calif.	Kansas City, Mo.
			13,500	Watsonville, Calif.	" " "

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DATE	FRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
10-11-56	2028	Frozen Berries	3,000	Gaerwood, Oregon	Kansas City, Mo.
10-11-56	2032	FrenVegetBerr.	22,500	Watsonville, Calif.	Kansas City, Kansas
			14,490	" "	Kansas City, Mo.
10-8-56	2031	Frozen Fruits	6,400	Winchester, Va.	Okla. City, Okla.
			19,200	" "	Wichita, Kansas
			3,200	" "	Pittsburg, Kansas.
			3,200	" "	Springfield, Mo.
10-20-56	2049	Frozen Vege.	5,310	Fairmont, Minn	Oklahoma City, Okla.
10-20-56	2057	Frozen Berries		Ft. Smith, Ark.	Chicago, Illinois
10-22-56	2061	Fren Berr&Vege.	21,600	Watsonville, Calif.	Kansas City, Mo.
			8,840	Modesto, Calif.	" " "
10-20-56	2068	Frozen Vege.	9,450	Modesto, Calif.	Okla. City, Okla.
10-24-56	2069	Frozen Vege.	20,300	Kent, Wash.	Wichita, Kansas
10-27-56	2070	Frozen Vege.	24,694	Snohomish, Wash.	Kansas City, Mo.
10-20-56	2078	Frozen Vegetables	32,328	Fairmont, Minn.	Meade, Kansas
					Smith Center, Kansas
					Topeka, Kansas
10-23-56	2089	Frozen Fruits	32,000	Winchester, Va.	Kansas City, Kansas
10-27-56	2090	Fren Fru & Vege.	3,330	Santa Clara, Calif.	Kansas City, Mo.
			12,800	Watsonville, Calif.	" " "
			8,000	Sanger, Calif.	" " "
			13,000	Modesto, Calif.	" " "
10-31-56	2100	Frozen Vege.	37,800	Pendleton, Oregon	Kansas City, Missouri
10-29-56	2107	Frozen Berries	22,500	Chicago, Ill.	Kansas City, Mo.
11-9-56	2120	Frozen Fruit		Sanger, Calif.	Kansas City, Mo.
		Frozen Vege.		Watsonville, Calif.	Kansas City, Mo.
		Frozen Vege.		Modesto, Calif.	Kansas City, Mo.
11-2-56	2122	Frozen Fruits	28,000	Winchester, Va.	Wichita, Kansas
			4,000	" "	Hutchinson, Kansas
10-26-56	2123	Frozen Fruits	30,400	Winchester, Va.	Kansas City, Kansas
11-15-56	2137	Fren FrukBerr.	6,476	Modesto, Calif.	St. Joseph, Mo.
			6,800	Modesto, Calif.	Kansas City, Mo.
			3,150	Sanger, Calif.	" " "
11-14-56	2157	Frozen Vege.	11,250	Modesto, Calif & San Jose, Calif.	Okla. City, Okla.
11-20-56	2170	Frozen Vege.	31,860	Minneapolis, Minn.	Wichita, Kansas
11-16-56	2171	Frozen Vege.	12,832	Fairmont, Minn.	Kansas City, Mo.
			12,832	" "	Okla. City, Okla.

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DATE	PRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
11-27-56	2173	Frozen Fru & Vege	6,611	Watsonville, Calif.	Oklahoma City, Okla.
11-23-56	2179	FrenFruitVege	3,200	Santa Clara, Calif.	Kansas City, Mo.
			8,352	Watsonville, Calif.	Kansas City, Mo.
			16,556	Modesto, Calif.	Kansas City, Mo.
11-29-56	2209	Frozen Vege.	5,100	Modesto, Calif.	Carthage, Mo.
11-21-56	2215	Fren VegetAberr	9,000	Patterson, Calif.	Des Moines, Iowa.
			14,000	" "	Kansas City, Kansas
			5,198	Santa Clara, Calif.	" " "
			10,200	Modesto, Calif.	" " "
12-8-56	2227	Frozen Vegetables	3,600	Santa Clara, Calif.	Kansas City, Mo.
			20,000	Watsonville, Calif.	" " "
			5,450	Modesto, Calif.	" " "
12-4-56	2234	Frozen Vege.	32,000	Snohomish, Wash.	Kansas City, Mo.
12-1-56	2235	Frozen Vege.	4,500	Santa Cruz. Calif.	Wichita, Kansas
		" "	4,500	Modesto, Calif.	" "
		Frozen Berries	1,800	San Jose, Calif.	" "
12-1-56	2255	Frozen Vege.	33,392	Omaha, Nebraska	Fayetteville, Ark.
12-10-56	2285	Frozen Fruits	6,600	Frankfort, Mich.	Kansas City, Mo.
12-15-56	2294	Frozen Vegetables	10,200	Everett, Wash.	Kansas City, Mo.
12-18-56	2300	Frozen Berries	18,000	San Jose, Calif.	Wichita, Kansas
		Frozen Vege.	4,500	Santa Cruz, Calif.	Wichita, Kansas
12-24-56	2304	Frozen Vege.	6,700	Santa Clara, Calif.	Kansas City, Mo.
1-11-57	2307	Frozen Vege.	4,590	Ontario, Oregon	Nashville, Tenn
			6,400	" "	Chattanooga, Tenn
			7,800	" "	Louisville, Kentucky
			3,200	" "	Murfreesboro, Tenn.
			10,550	" "	Hutchinson, Kansas
12-22-56	2308	Frozen Vege.	15,250	Modesto, Calif.	Kansas City, Mo.
12-22-56	2339	Frozen Fruit	23,000	Portland, Oregon	Tulsa & Okla City, Okla.
		Frozen Vege.	9,000	Caldwell, Idaho	" " " "
12-27-56	2343	Fren FruitVege.	1,530	Sanger, Calif.	Kansas City, Mo.
			15,968	Watsonville, Calif.	" " "
12-28-56	2344	Frozen Vege.	5,100	Modesto, Calif.	Carthage, Mo.
			5,178	" "	Kansas City, Mo.
12-29-56	2347	Frozen Vege.	5,310	Hopkins, Minn.	Wichita, Kansas
1-3-57	2353	Frozen FruBerrsVege		Watsonville, Calif.	Kansas City, Mo.
1-9-57	2367	Frozen Vege.	30,352	McAllen, Texas	St. Louis, Mo.
1-14-57	2368	Frozen Vege.	14,600	Modesto, Calif.	Kansas City, Mo.

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DATE	[illegible]	[illegible]	WEIGHT	ORIGIN	DESTINATION
1-17-57	2388	Frozen Vege.	3,425 [illegible],173	Santa Clara, Calif. Watsonville, Calif.	Kansas City, Mo Kansas City, Mo.
1-17-57	2392	Frozen Berries	[illegible],325 3,[illegible]9	San [illegible], Calif. Modesto, Calif.	St. Joseph, Mo. " " "
1-16-57	2393	Frozen Vege.	2,250 10,476	Santa Cruz, Calif. Modesto, Calif.	Oklahoma City, Okla. " " "
1-14-57	2395	Fran Fru&Vege	3,95[illegible] 15,[illegible]92 13,632	Kansas City, Kansas " " " " " "	Meade, Kansas Liberal, Kansas Manhattan, Kansas
1-10-57	2397	Frozen Vege.	3,540	Fairmont & Hopkins, Minnesota	Oklahoma City, Okla.
1-30-57	2399	Frozen Vege.	[illegible],800	Ontario, Oregon	Kansas City, Mo.
1-22-57	2410	Frozen Vege	14,287	Kent, Washington Ontario, Oregon	Oklahoma City, Okla. " " "
2-8-57	2420	Frozen Fish & Berries	32,[illegible]24	Seattle, Wash.	Kansas City, Mo.
1-23-57	2421	Frozen Vege.	6,195	Fairmont, Minn.	Oklahoma City, Okla.
1-31-57	2431	Frozen Vege	8,500 7,500 8,000 12,300	Kent, Wash. Everett, Wash. Ontario, Ore. Milton, Oregon	Oklahoma City, Okla. " " " " " " " " "
1-30-57	2432	Frozen Vege	16,000	Snohomish, Wash.	Kansas City, Mo.
1-30-57	2434	Frozen Berries	9,000	San Jose, Calif.	Oklahoma City, Okla.
1-31-57	2441	Fran Fru&Vege.	1,026 10,500 10,188 7,220	Sanger, Calif. Modesto, Calif. Watsonville, Calif. Modesto, Calif.	Kansas City, Mo. " " " " " " Carthage, Mo.
2-5-57	2454	FranFruBerr&Vege	[illegible],891	Sanger, Calif. Santa Clara, Calif. Watsonville, Calif.	Kansas City, Mo. " " " " " "
1-30-57	2457	Frozen Vege.	36,750	Pendleton, Ore.	Kansas City, Mo.
1-30-57	2458	FrozenBerr&Vege	1,321 16,914	Kansas City, Kans. " " "	Meade, Kansas Liberal, Kansas
2-12-57	2476	Frozen Vege.	14,128 21,325	Modesto, Calif. Watsonville, Calif.	Kansas City, Mo. " " "
2-13-57	2493	Frozen Vege.	35,700	Albany, Oregon	Van Buren, Ark.
2-15-57	2504	Frozen Vege.	[illegible],675	Ontario, Oregon	Kansas City, M

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DATE	PRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
2-9-57	2511	Frozen Vege	9,735	Fairmont, Minn.	Wichita, Kansas
2-21-57	2521	Fzn FrukVege.	9,300	Sanger, Calif.	Kansas City, Mo.
			10,800	Modesto, Calif.	" " "
			14,070	Santa Clara, Calif.	" " "
2-19-57	2524	Frozen Berries	36,000	San Jose, Calif.	Oklahoma City, Okla.
2-19-57	2527	Frozen Berries	38,592	San Jose, Calif.	Topeka, Kansas
2-21-57	2539	Frozen Vege.	29,841	Fairmont, Minn.	Little Rock, Ark.
2-26-57	2540	Frozen Berries	30,800	Salem, Oregon	Kansas City, Mo.
			8,000	Hillsboro, Oregon	St. Joseph, Mo.
2-26-57	2547	Frozen Vege.	30,525	Fairmont, Minn.	Lincoln, Nebr.
					Omaha, Nebr.
3-7-57	2560	Fzn FrukVege.	10,220	Sanger, Calif.	Kansas City, Mo.
			12,050	Modesto, Calif	Kansas City, Mo.
			12,700	Watsonville, Calif.	" " "
3-2-57	2561	Frozen Vege.	47,996	Hollister, Calif.	Van Buren, Ark.
3-4-57	2567	Frozen Berries	27,500	Watsonville, Calif.	Wichita, Kansas
			13,750	Modesto, Calif.	Okla. City, Okla.
3-6-57	2569	Frozen Berries	9,125	Watsonville, Calif.	Okla. City, Okla.
			27,500	" " "	Wichita, Kansas
3-7-57	2570	Frozen Berries	36,220	Salem, Oregon	Kansas City, Mo.
3-23-57	2584	Frozen Vege.	21,775	Snohomish, Wash.	Kansas City, Mo.
			10,500	Ontario, Oregon	" " "
3-16-57	2599	Frozen Vege.	37,876	Albany, Oregon	Dardanelle, Ark.
3-19-57	2619	Frozen Vege.	1,350	Sumner, Wash.	Tulsa, Okla.
			2,700	" "	Oklahoma City, Okla.
3-14-57	2628	Frozen Vegetables	12,365	Fairmont, Minn.	St. Joseph, Mo.
3-19-57	2631	FrznFrukVege	14,400	Modesto, Calif.	Kansas City, Mo.
			14,280	Sanger, Calif.	" " "
			6,400	Modesto, Calif.	Wichita, Kansas
3-28-57	2638	Frozen Vege.	30,439	Fairmont, Minn.	New Orleans, La.
					Houston, Texas
					San Antonio, Texas
3-23-57	2654	Frozen Vege&Berr	3,500	Santa Clara, Calif.	Kansas City, Mo.
			28,988	Watsonville, Calif.	" " "
			4,464	Watsonville, Calif.	St. Joseph, Mo.
3-28-57	2656	FrznFrukBerr&Vege.	4,125	Weston, Oregon	Tulsa, Okla
			2,250	Portland, Oregon	Oklahoma City, Okla.
			8,930	Brigham City, Utah	Oklahoma City, Okla.
			25,423	Portland, Oregon	Tulsa, Oklahoma

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DATE	PRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
3-22-57	2660	Frozen Vege.	38,500	Pendleton, Oregon	Kansas City, Missouri
3-26-57	2664	Frozen Vege.	29,841	Fairmont, Minn.	Springdale, Arkansas
3-30-57	2671	FrenFruBerr&Vege.	3,516	Modesto, Calif.	Topeka, Kansas
			14,600	" "	Kansas City, Mo.
			5,370	Sanger, Calif.	" " "
4-4-57	2682	Frozen Vege.	32,100	Modesto, Calif.	Kansas City, Mo.
3-30-57	2692	Frozen Vege.	7,785	Fairmont, Minn.	Topeka, Kansas
			7,785	" "	Hutchinson, Kansas
			13,840	" "	Wichita, Kansas
3-30-57	2693	Frozen Vege.	12,668	Fairmont, Minn.	Smith Center, Kansas
			3,546	" "	St. Joseph, Mo.
			14,989	" "	Kansas City, Mo.
4-8-57	2697	Fren VegaBerr	27,450	Watsonville, Calif.	Kansas City, Mo.
			5,643	" "	Topeka, Kansas
4-1-57	2701	Frozen Vege.	29,692	Fairmont, Minn	Springdale, Ark.
4-9-57	2702	Frozen Vege.	40,418	Watsonville, Calif.	Kansas City, Mo.
4-9-57	2711	FrenFruVege.	8,550	Santa Clara, Calif.	Kansas City, Mo.
			15,900	Sanger, Calif.	" " "
			10,800	Watsonville, Calif.	Kansas City, Mo.
4-10-57	2719	Frozen Vege.	7,055	Everett, Wash.	Oklahoma City, Okla.
			10,800	" "	Wichita, Kansas
			6,800	" "	Topeka, Kansas
			225	Milton, Oregon	Wichita, Kansas
4-6-57	2725	Frozen Vege.	36,500	Okla. City, Okla.	Glendale, Calif.
4-13-57	2735	Frozen Vege.	28,515	Ft. Smith, Ark.	Atlanta, Ga.
					Jacksonville, Fla.
4-5-57	2722	Frozen Vege.	38,700	Pendleton, Ore.	Kansas City, Mo.
4-8-57	2724	Frozen Fruit	32,000	Van Buren, Ark.	Houston, Texas
4-15-57	2741	Frozen Fruit		North East, Penn.	Kansas City, Mo.
					Topeka, Kansas
					Wichita, Kansas
					Oklahoma City, Okla.
4-16-57	2746	Fren FruVege.	9,000	Santa Maria, Calif.	Oklahoma City, Okla
			3,600	Santa Maria, Calif.	Kansas City, Mo.
			10,800	" " "	Wichita, Kansas
			5,400	" " "	Topeka, Kansas
			2,150	Santa Clara, Calif.	Oklahoma City, Okla.
			3,150	" " "	Wichita, Kansas
			3,150	" " "	Topeka, Kansas

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DATE	PRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
4-17-57	2750	Fran Vege&Berr.	4,768	Salem, Oregon	Omaha, Nebraska
			9,600	Portland, Oregon	St. Joseph, Mo.
			19,800	Snohomish, Wash.	Kansas City, Mo.
			850	Salem, Oregon	" " "
			1,400	Gresham, Oregon	" " "
4-23-57	2771	Fran Vege&Berr.	14,468	California	Oklahoma City, Okla.
			4,800	"	" " "
			7,800	"	Wichita, Kansas
			3,000	"	Topeka, Kansas
4-24-57	2773	Frozen Berries	6,240	Portland, Oregon	Muskogee, Okla.
			512	Milton, Oregon	Topeka, Kansas
			1,025	" "	Wichita, Kansas
			2,050	" "	Kansas City, Mo.
			8,500	Everett, Wash.	Topeka, Kansas.
			9,350	" "	Wichita, Kansas
			6,800	" "	Kansas City, Mo.
			5,525	" "	Oklahoma City, Okla.
4-24-57	2787	Frozen Vegetables	6,055	Fairmont, Minn.	Topeka, Kansas
			9,309	" "	St. Joseph, Mo.
			1,297	" "	Kansas City, Mo.
			6,920	" "	Wichita, Kansas
			3,460	" "	Oklahoma City, Okla.
5-4-57	2790	Frozen Vegetables	3,016	Watsonville, Calif.	Topeka, Kansas
			23,700	" " "	Kansas City, Mo.
			11,500	Modesto, Calif	" " "
4-26-57	2795	Frozen Vegetables	30,928	Clayton, Delaware	Fayetteville, Ark.
4-29-57	2799	Fran FrutVege.	29,640	Weston, Oregon	Van Buren, Ark.
			8,075	Portland, Oregon	Oklahoma City, Okla.
5-4-57	2902	Fran Vege&Berr.	9,900	Snohomish, Wash.	Kansas City, Mo.
			16,164	Salem, Oregon	" " "
5-2-57	2903	Frozen Vege.	5,100	Everett, Wash.	Okla City, Okla.
			8,500	" "	Wichita, Kansas
			3,200	Mt. Vernon, Wash.	" "
			2,050	Oregon	" "
			16,375	Mt. Vernon, Wash.	Topeka, Kansas
			2,800	" " "	Kansas City, Mo.
			800	Kent, Wash.	" " "
			1,825	Washington, &, Ore.	" " "
5-1-57	2906	Fran FrutVege	2,952	Modesto, Calif.	Kansas City, Mo.
			3,985	Watsonville, Calif.	Topeka, Kansas
			7,683	Modesto, Calif.	Kansas City, Mo.
			10,200	" "	Topeka, Kansas
			5,700	" "	Okla City, Okla.
5-2-57	2909	Frozen Vege.	32,760	Weston, Oregon	Dardanelle, Ark.
			5,350	Kent, Wash.	Meade, Kansas
			2,400	" "	Okla City, Okla.
4-29-57	2912	Frozen Vege.	30,925	Fayetteville, Ark.	Camden, N. J.

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DATE	FRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
4-27-57	2912A	Frozen Vege.	8,650	Fairmont, Minn.	Okla City, Okla.
			13,710	" "	Topeka, Kansas
			7,352	" "	Kansas City, Mo.
5-9-57	2918	Frozen Vege	8,800	Mt Vernon & Everett, Wash.	Wichita, Kansas
			1,200	Mt. Vernon, Wash.	Kansas City, Mo.
			5,000	" " "	Topeka, Kansas
			26,793	Oregon	Wichita, Kansas
5-9-57	2930	Frzn Fru&Vege.	29,449	Santa Clara, Calif.	Topeka, Kansas
				Modesto, Calif.	Wichita, Kansas
				Watsonville, Calif.	" "
5-10-57	2933	FrznVeg&Berr.	37,161	Watsonville, Calif.	Omaha, Nebr.
					Davenport, Iowa
					Galesburg, Ill.
5-6-57	2938	Frozen Berries	18,000	Patterson, Calif.	Tulsa, Oklahoma
5-3-57	2943	Frozen Vege.		Omaha, Nebraska	Springdale, Arkansas
5-15-57	2948	Frozen Vege.	16,500	Snohomish, Wash.	Kansas City, Mo.
5-11-57	2950	Frozen Berries	17,500	California	Oklahoma City, Okla.
			19,100	"	Wichita, Kansas
5-17-57	2953	FrznFruBerr&Vege	4,400	Sanger, Calif.	Kansas City, Mo.
			3,500	Santa Clara, Calif.	" " "
			24,929	Watsonville, Calif.	" " "
5-13-57	2958	Frozen Berries	16,000	Watsonville, Calif.	Des Moines, Iowa
			20,224	Santa Clara, Calif.	Smith Center, Kansas
5-13-57	2959	Frozen Berries	17,788	California	Topeka, Kansas
			13,125	California	Kansas City, Mo.
5-13-57	2962	Frozen Vegetables	43,280	Pendleton, Ore.	Kansas City, Mo.
5-15-57	2968	Frozen Fruits	32,000	Traverse City, Mich.	Kansas City, Mo.
5-15-57	2976	Frozen Berries	8,000	California	Okla. City, Okla.
			10,900	"	Topeka, Kansas
			19,270	"	Wichita, Kansas
			4,296	"	Kansas City, Mo.
5-21-57	2978	Frzn Fru&Vege	6,426	Modesto, Calif.	Kansas City, Mo.
			3,300	Santa Clara, Calif.	" " "
			14,520	Sanger, Calif.	" " "
			20,100	" "	" " "
5-17-57	2984	Frozen Vege.	30,928	Clayton, Delaware	Fayetteville, Ark.
5-17-57	2996	Frozen Berries	14,026	Santa Clara, Calif.	Fairbury, Nebraska
			31,680	" " "	Lincoln, Nebr.

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DATE	PRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
5-21-57	2997	Pran Vege&Berr.	17,900	Watsonville, Calif.	Kansas City, Mo.
			8,841	" "	" " "
			6,200	" "	St. Joseph, Mo.
5-18-58	3002	Frozen Fruits	30,000	Traverse City, Mich	Kansas City, Mo.
5-24-57	3003	Frozen Berries	33,500	Watsonville, Calif.	Tulsa, Oklahoma
			4,183	" "	Okla. City, Okla.
5-25-57	3012	Frozen Berries	10,750	California	Okla. City, Okla
5-27-57	3013	Frozen Vege.	7,450	Caldwell, Idaho	Okla. City, Okla.
5-31-57	3013	Frozen Vege.	4,800	Ontario, Oregon	Tulsa, Okla.
			3,400	Auburn, Wash.	Oklahoma City, Okla.
5-28-57	3018	Frozen Vege.	2,700	Santa Maria, Calif.	Okla City, Okla.
5-23-57	3018	Frozen Berries	14,400	Watsonville, Calif.	Topeka, Kansas
			18,000	Santa Clara, Calif.	Kansas City, Kansas
5-24-57	3020	Frozen Berries	34,950	Santa Clara, Calif.	Wichita, Kansas
			12,800	Santa Clara, Calif.	Manhattan, Kansas
5-24-57	3026	Frozen Berries	17,600	Santa Clara, Calif.	Des Moines, Iowa.
			18,000	Patterson, Calif.	" " "
5-31-57	2026	Frozen Vege.		Omaha, Nebraska,	Fayetteville, Ark.
5-31-57	3038	Frozen Vege.	30,928	Clayton, Delaware	Fayetteville, Ark.
6-2-57	3043	Frozen Berries	43,550	Watsonville, Calif.	Oklahoma City, Okla.
6-1-57	3044	Frozen Berries	11,750	Modesto, Calif.	Wichita, Kansas
			14,500	" "	Topeka, Kansas
			9,950	" "	Kansas City, Mo.
6-3-57	3045	Frozen Berries	18,000	Watsonville, Calif.	Kansas City, Mo.
6-3-57	3048	FroPruBerr&Vege	8,270	Sanger, Calif.	Kansas City, Mo.
			24,100	Modesto, Calif.	" " "
			4,500	Denair, Calif.	" " "
6-4-57	3050	Frozen Vege.	11,050	Everett, Wash	Okla. City, Okla.
			3,200	Mt. Vernon, Wash.	" " "
6-5-57	3052	Frozen Vege.	30,008	Fairmont, Minn.	Kansas City, Mo.
6-10-57	3056	FroPruVege&Berr	33,680	Watsonville, Calif.	Okla City, Okla.
			8,360	Portland, Oregon	" " "
6-8-57	3058	Frozen Vege.	13,400	Snohomish, Wash.	Kansas City, Mo.
6-11-57	3063	Frozen Vege.	18,012	Modesto, Calif	Okla. City, Okla.
6-6-58	3064	Frozen Vege.	32,200	Omaha, Nebr.	Milton, Delaware
6-18-57	3077	Frozen Vege		Oklahoma City, Okla	Chicago, Illinois

DATE	PRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
6-14-57	3082	Frozen Vege.	34,977	Watsonville, Calif.	Kansas City, Mo.
			5,400	Santa Clara, Calif.	" " "
6-18-57	3085	Frozen Vege.	17,000	Stanwood, Wash.	Okla. City, Okla.
6-10-57	3086	Frozen Vege.	15,442	Fairmont, Minn.	Kansas City, Mo.
6-4-57	3095	Frozen FruitVege.	35,631	Sanger, Calif.	Kansas City, Mo.
6-21-57	3099	Frozen Vege.	2,188	Santa Clara, Calif.	Kansas City, Mo.
			21,360	Watsonville, Calif.	" " "
			11,016	Modesto, Calif.	" " "
6-15-57	3110A	Frozen Vege.	2,400	Mt. Vernon, Wash.	Okla. City, Okla.
6-29-57	3111	Frozen Berries	28,500	Salem, Oregon	Kansas City, Mo.
			13,500	" "	Emporia, Kansas
6-25-57	3112	Frozen Berries	32,000	Seattle, Wash.	Wichita, Kansas
6-26-57	3130	Frozen Vege.	13,500	Sanger, Calif.	Kansas City, Mo.
		Frozen Berries	9,144	Watsonville, Calif.	" " "
6-26-57	3131	Frozen Berries	34,300	Salem, Oregon	Kansas City, Mo.
6-29-57	3144	Frozen Berries	31,000	San Jose, Calif.	Okla. City, Okla.
		Fro BerréVege.	4,220	Watsonville, Calif.	" " "
7-2-57	3151	Frozen Berries	36,000	Watsonville, Calif.	St. Joseph, Mo.
7-9-57	3155	Frozen VegetBerr	13,146	Modesto, Calif.	Kansas City, Mo.
			3,500	Santa Clara, Calif.	" " "
			1,292	Watsonville, Calif.	" " "
7-9-57	3160	Frozen Vege.	34,553	Modesto, Calif.	Kansas City, Mo.
7-3-57	3165	Frozen Vege.	31,580	Ft. Smith, Ark.	Miami, Florida
7-3-57	3183	Frozen Berries	36,990	Carthage, Mo.	Minneapolis, Minn.
7-9-57	3192A	Frozen Vege.	25,812	Okla. City, Okla.	Burbank, Calif.
7-5-57	3193	Frozen Vege.		Omaha, Nebraska	Springdale, Ark.
7-12-57	3205	Frozen Vege.		Wichita, Kansas	Oklahoma City, Okla.
7-12-57	3207	Frozen Vege.	32,883	Pendleton, Oregon	Kansas City, Mo.
7-16-57	3211	Frozen Vege	7,900	Modesto, Calif.	Kansas City, Mo.
7-19-57	3212	Frozen Vege	6,600	Santa Clara, Calif.	Kansas City, Mo.
			5,925	Watsonville, Calif.	" " "
7-18-57	3215	Frozen Fruit	30,000	Paw Paw, Michigan	Smith Center, Kansas

DATE	PRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
7-23-57	3222	Frozen Fruit	16,000	Paw Paw, Mich.	Topeka, Kansas
			15,968	" " "	Manhattan, Kansas
7-19-57	3225	Frozen Vege.	4,895	Portland, Oregon	Oklahoma City, Okla
			5,600	Gresham, Oregon	" " "
7-9-57	3229	Frozen Fru&Vege.	12,128	Sanger, Calif.	Kansas City, Mo.
			13,405	Modesto, Calif.	" " "
7-17-57	3234	Frozen Fruit	21,400	Lawrence, Mich.	Kansas City, Mo.
			8,100	" "	Topeka, Kansas
7-15-57	3235	Frozen Fruit	16,000	Paw Paw, Mich.	Kansas City, Kansas
			4,800	Benton Harbor, Mich.	" " "
7-26-57	3238	Frozen Berries	2,750	Salem, Oregon	Emporia, Kansas
			7,104	" "	Kansas City, Mo.
			9,000	West Salem, Ore.	" " "
			5,000	Stayton, Oregon	" " "
			6,600	Snohomish, Wash.	" " "
7-23-57	3240	Frozen Vege.	3,384	Oklahoma City, Okla.	Burbank, California
8-2-57	3253	Frozen Vege	12,000	Snohomish, Wash.	Kansas City, Mo.
		Frozen Berries	2,000	Salem, Oregon	" " "
		Frozen Berries	3,000	Snohomish, Wash	" " "
7-31-57	3254	Frozen Vege.	35,200	Wichita, Kansas	Burbank, Calif.
7-25-57	3255	Frozen Vege.	40,000	Wichita, Kansas	Burbank, Calif.
7-31-57	3256	Frozen Fruits	8,100	Lawrence, Mich.	Topeka, Kansas
			12,800	Traverse City, Mich.	Kansas City, Mo.
			3,200	Lawrence, Mich.	Maryville, Mo.
7-24-57	3257	Frozen Fruits	23,700	Traverse City, Mich.	Kansas City, Mo.
			5,150	" " "	Hutchinson, Kansas
7-31-57	3261	Frozen Berries	30,000	Watsonville, Calif.	Ft. Smith, Ark.
		FroFruVege&Berr	9,310	" "	Okla. City, Okla.
7-27-57	3261	Frozen Vege.	40,000	Wichita, Kansas	Burbank, Calif.
7-26-57	3264	FroFruBerr&Vege	2,302	Modesto, Calif.	Kansas City, Mo.
			620	Sanger, Calif.	" " "
			3,200	" "	St. Joseph, Mo.
			1,650	Santa Clara, Calif.	Kansas City, Mo.
			18,000	Watsonville, Calif.	Kansas City, Mo.
8-2-57	3268	Frozen Berries	3,825	Portland, Ore.	Tulsa, Okla.
			2,665	" "	Oklahoma City, Okla.
7-27-57	3270	Frozen Vege.	8,650	Fairmont, Minn.	Okla. City, Okla.

DATE	PRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
8-2-57	3273	Frozen FruitBerr	9,600	Lawrence, Mich.	Los Angeles, Calif.
			7,600	" "	Watsonville, Calif.
			17,375	" "	Santa Barbara, Calif.
8-3-57	3281	Frozen Vege.	10,300	Watsonville, Calif.	Kansas City, Mo.
			5,400	Santa Clara, Calif.	" " "
8-5-57	3284	Frozen Berries	22,800	Salem, Oregon	Okla. City, Okla.
		Frozen Vege.	1,600	Mt. Vernon, Wash.	" " "
		Frozen Fruit	2,700	Sumner, Wash.	Okla. City, Okla.
		" "	2,700	" "	Tulsa, Okla.
8-1-57	3285	Frozen Vege.	11,172	Watsonville, Calif.	Kansas City, Mo.
		Frozen Berries	9,488	Fresno, Calif.	Okla. City, Okla.
		Frozen Berries	3,600	Watsonville, Calif.	Hutchinson, Kansas
		Frozen Vege.	3,293	" "	Okla. City, Okla.
8-5-57	3290	Frozen Fruits	29,754	Benton Harbor, Mich.	Topeka, Kansas
8-2-57	3293	Frozen Fruit	32,000	Frankfort, Mich.	Kansas City, Mo.
8-7-57	3294	Frozen Vege.	1,700	Snohomish, Wash.	Emporia, Kansas
		Frozen Berries	3,600	Salem, Oregon	Emporia, Kansas
8-17-57	3315	Frozen Vege.	35,700	Salinas, Calif.	Fayetteville, Ark.
8-17-57	3317	Frozen Fruits	3,471	Traverse City, Mich.	Springfield, Mo.
			11,700	" " "	Wichita, Kansas
			8,096	" " "	Kansas City, Mo.
8-21-57	3332	Frozen Berries	8,000	San Jose, Calif.	Tulsa, Okla.
		Frozen VegetBerr	14,310	Watsonville, Calif.	Carthage, Mo.
		Frozen Berries	9,000	Watsonville, Calif.	Liberal, Kansas
		" "	3,520	" "	Okla City, Okla.
8-19-57	3337	Frozen Vege.	36,400	Salinas, Calif.	Fayetteville, Ark.
8-24-57	3343	Frozen Fruits	48,700	Sanger, Calif.	Kansas City, Kansas
8-29-57	3348	FroFruitsBerr	16,584	Sanger, Calif.	Okla. City, Okla.
		Frozen Berries	6,400	Fresno, Calif.	Enid, Okla.
		Frozen Fruits	12,382	Sanger, Calif.	Wichita, Kansas
8-28-57	3355	Frozen Vege.	37,336	Watsonville, Calif.	Kansas City, Mo.
8-28-57	3355	Frozen Vege.	35,030	Fairmont, Minn.	Fayetteville, Ark.
8-28-57	3360	Frozen Fruits	3,900	Traverse City, Mich.	Topeka, Kansas
			22,670	Traverse City, & Lawrence, Mich.	Kansas City, Mo.

DATE	CAR	COMMODITY	WEIGHT	ORIGIN	DESTINATION
8-28-57	3380	Frozen Vege.	35,030	Fairmont, Minn.	Fayetteville, Ark.
9-4-57	3382	Frozen Berries	3,800	Salem, Oregon	Emporia, Kansas
		Frozen Vege.	4,400	Snohomish, Wash.	Kansas City, Mo.
		Frozen Fruit	5,400	Puyallup, Wash	Kansas City, Mo.
		Frozen Berries	3,300	Salem, Oregon	" "
		" "	13,675	Salem, Oregon	Wichita, Kansas
		" "	4,962	Salem, Oregon	Topeka, Kansas
9-3-57	3374	Frozen Vegetables	13,750	Kansas City, Mo.	Carthage, Missouri
8-27-57	3368	Frozen Fruits	7,500	Sanger, Calif.	Ft. Smith, Ark.
			32,000	" "	Kansas City, Mo.
8-29-57	3373	Frozen Vege.	30,928	Clayton, Delaware	Fayetteville, Ark.
9-3-57	3376	Frozen Vege.	25,133	Modesto, Calif.	Kansas City, Missouri
		Frozen Berries	7,950	Santa Clara, Calif.	St. Joseph, Missouri
8-31-57	3378	Frozen Fruits	33,500	Sanger, Calif.	Kansas City, Missouri
9-3-57	3379	Frozen Fruits	30,500	Sanger, Calif.	Kansas City, Kansas
			4,850	Sanger, Calif.	Lawrence, Kansas
9-4-57	3383	Frozen Vege	800	Ontario, Oregon	Meade, Kansas
			3,350	Arlington, Wash.	Meade, Kansas
			8,600	Ontario, Oregon	Kansas City, Missouri
8-28-57	3384	Frozen Vege.	35,030	Fairmont, Minn.	Fayetteville, Ark.
8-28-57	3385	Frozen Vege.	35,030	Fairmont, Minn	Fayetteville, Ark.
9-2-57	3388	Frozen Vege.	35,030	Fairmont, Minn	Fayetteville, Ark.
9-4-57	3392	Frozen Vege.	3,420	Ontario, Ore.	Oklahoma City, Okla.
			6,400	Nampa, Idaho	Tulsa, Oklahoma
9-4-57	3392	Frozen Berries	1,300	Tacoma, Wash.	Tulsa, Okla.
			8,600	Puyallup, Wash.	Oklahoma City, Okla.
			13,235	Portland, Ore.	Oklahoma City, Okla.
			2,560	Puyallup, Wash.	Bethany, Okla.
9-4-57	3393	Frozen Berries	4,125	Santa Clara, Calif.	Tulsa, Okla.
		Frozen Berries	6,800	Watsonville, Calif.	Wichita, Kansas
		Frozen Vegetables	8,750	Watsonville, Calif	Wichita, Kansas
		Frozen Berries	1,350	Watsonville, Calif.	Meade, Kansas
		Frozen Vegetables	2,562	Watsonville, Calif.	Meade, Kansas
		Frozen Berries	7,000	Watsonville, Calif.	Liberal, Kansas
		Frozen Vegetables	1,750	Watsonville, Calif.	Hutchinson, Kansas
		Frozen Fruits	9,118	Sanger, Calif.	Wichita, Kansas
8-31-57	3394	Frozen Vegetables	35,030	Fairmont, Minnesota	Fayetteville, Ark.
9-2-57	3396	Frozen Vegetables	35,030	Fairmont, Minnesota	Springdale, Ark.
9-2-57	3397	Frozen Vegetables	34,691	Fairmont, Minnesota	Springdale, Ark.
9-6-57	3398	Frozen Berries	28,800	Ft. Smith, Ark.	Buffalo and Amsterdam, N. Y.

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DATE	PRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
9-10-57	3401	Frozen Fruit	40,200	Sanger, Calif.	Kansas City, Kansas
9-11-57	3405	Frozen Fru & Berr.	41,200	Sanger, Calif.	Kansas City, Kansas
			5,922	Sanger, Calif.	Meade, Kansas
9-10-57	3407	Frozen Vege.	33,894	Dayton, Oregon	Kansas City, Kansas
9-10-57	3414	Frozen Vege.	5,135	Patterson, Calif.	Carthage, Mo.
		Frozen Berries	14,250	Watsonville, Calif.	Oklahoma City, Okla.
		Frozen Vege.	6,550	Santa Barbara, Calif.	Ft. Smith, Ark.
		Frozen Fruit	5,278	Sanger, Calif.	Springfield, Mo.
		Frozen Berries	3,500	Fresno, Calif.	Marionville, Missouri
9-17-57	3415	Frozen Vege.	2,250	San Jose, Calif.	Nashville, Tenn.
		Frozen Vege.	1,500	Santa Clara, Calif.	Nashville, Tenn.
		Frozen Vege.	5,976	Santa Cruz, Calif.	Nashville, Tenn.
		Frozen Vege.	4,865	Watsonville, Calif.	Nashville, Tenn.
		Frozen Vege.	645	Modesto, Calif.	Nashville, Tenn.
		Frozen Vege.	7,951	Watsonville & Modesto, Calif.	Amarillo, Texas
9-10-57	3416	Frozen Fruit	9,750	Traverse City, Mich.	Wichita, Kansas
9-10-57	3418	Frozen Fruit	15.000	Lawrence, Mich.	Dodge City, Kansas
9-16-57	3423	Frozen Vege.	4,800	Caldwell, Idaho	Oklahoma City, Okla.
		" "	2,525	Ontario, Oregon	Meade, Kansas
		" "	5,150	Ontario, Oregon	Wichita, Kansas
		" "	8,000	Caldwell, Idaho	Tulsa, Oklahoma
9-14-57	3429	Frozen Fruit	8,750	Modesto, Calif.	Kansas City, Missouri
		Frozen Vege.	3,015	Modesto, Calif.	Topeka, Kansas
		" "	21,750	Watsonville & Modesto, Calif.	Kansas City, Missouri
9-16-57	3430	Frozen Fruit	5,860	Lawrence Michigan	Topeka, Kansas
			16,975	Traverse City, Mich.	Kansas City, Missouri
			1,560	Traverse City, Mich.	Topeka, Kansas
			7,628	Frankfort & Lawrence Michigan	Kansas City, Missouri
9-18-57	3431	Frozen Vege.	16,500	Seattle, Wash.	Kansas City, Missouri
		Frozen Berries	9,000	Snohomish, Wash.	Kansas City, Missouri
		Frozen Berries	1,800	Salem, Oregon	Wichita, Kansas
		" "	4,050	" "	Topeka, Kansas
		Frozen Vege.	1,600	Mt. Vernon, Wash.	Wichita, Kansas
		" "	3,200	" " "	Topeka, Kansas
		" "	1,600	Albany, Oregon	Topeka, Kansas
9-18-57	3433	Frozen Vege	1,575	Santa Clara, Calif.	Meade, Kansas
		Frozen Fruit	2,200	Santa Clara, Calif.	Oklahoma City, Okla.
		Frozen Berries	9,338	San Jose, Calif.	Oklahoma City, Okla.
		" "	9,720	" " "	Liberal, Kansas
		" "	[illegible]	Watsonville, Calif.	Tulsa, Okla.
		Frozen Vege.	.625	" " "	Joplin, Missouri

DATE	PRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
9-17-57	3435	Frozen Vege.	32,969	Watsonville & Modesto, Calif.	Kansas City, Missouri
			5,187	Patterson, Calif.	Carthage, Missouri
9-17-57	3442	Frozen Fruit	2,900	Sanger, Calif.	Kansas City, Missouri
			3,200	Modesto, Calif.	Wichita, Kansas
9-21-57	3452	Frozen Berr&Vege.	30,256	Albany & Salem, Ore.	Kansas City, Missouri
9-20-57	3455	Frozen Vege.	5,442	Fairmont, Minn.	Kansas City, Mo.
			7,000	" "	Topeka, Kansas
			20,265	" "	Wichita, Kansas
9-24-57	3459	Frozen Vege	39,652	Modesto & Sanger, California	Kansas City, Mo.
9-21-57	3461	Frozen Vege.	27,024	Fairmont, Minn.	Kansas City, Missouri
9-28-57	3468	Frozen Vege.	16,800	Mt. Vernon, Wash.	Kansas City, Missouri
		" "	16,000	" " "	Topeka, Kansas
		Frozen Berries	4,050	Salem, Oregon	Topeka, Kansas
9-28-57	3470	Frozen Vege.	15,040	Mt. Vernon, Wash.	Wichita, Kansas
			14,000	" " "	Oklahoma City, Okla.
			1,700	" " "	Wichita, Kansas
			1,800	Portland, Oregon	" "
10-9-57	3471A	Frozen Vege.	31,200	Portland, Oregon	Van Buren, Arkansas
9-27-57	3472	Frozen Vege.	7,822	Fairmont, Minn.	St. Joseph, Missouri
			23,200	" "	Kansas City, Missouri
9-25-57	3473	Frozen Vege.	33,648	Fairmont, Minn.	Rogers, Arkansas
9-25-57	3475	Frozen Vege	33,338	Fairmont, Minn.	Fayetteville, Ark.
9-30-57	3477	Frozen Vege.	31,020	Santa Clara & Watsonville, Calif.	Kansas City, Mo.
10-2-57	3482	Frozen Vege.	8,514	Modesto, Calif.	Kansas City, Mo.
			5,903	" "	Topeka, Kansas
			11,778	" "	Dodge City, Kansas
			13,722	Modesto & Santa Maria, Calif.	Kansas City, Missouri
10-8-57	3494	Frozen Vege.	5,151	Snohomish, Washington	Kansas City, Missouri
		Frozen Berries	7,200	Arlington, Washington	Kansas City, Missouri
		Frozen Vege.	22,100	" "	Smith Center, Kansas
10-8-57	3495	FroFruBerr&Vege	20,272	Ontario, Salem & Albany, Oregon	Kansas City, Missouri
		Frozen Berries	11,200	Hillsboro, Oregon	Dodge City, Kansas
10-7-57	3497	Frozen Vege.	[illegible],200	Fairmont, Minn.	Fayetteville, Arkansas
10-17-57	3499	Frozen Vege.	31,185	Portland, Oregon	Van Buren, Arkansas
		" "	10,831	" "	Oklahoma City, Okla.

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DATE	PRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
10-9-57	3501	Frozen Fruit	39,790	Sanger, Calif.	Kansas City, Mo.
			11,658	Modesto, Calif.	" " "
10-8-57	3511	Frozen Vege.	20,676	Watsonville, Calif.	Kansas City, Mo.
			12,625	Santa Clara, Calif.	" " "
			5,187	Patterson, Calif.	Carthage, Mo.
10-9-57	3517	ProFruBerr&Vege.	19,720	Watsonville, Sanger, Santa Clara &Modesto California	Kansas City, Missouri
		" " "	7,050	Watsonville, Calif.	Oklahoma City, Oklahoma
		Frozen Fruit	1,680	Sanger, Calif.	Oklahoma City, Oklahoma
		Frozen Berries	8,289	San Jose, Calif.	Lawton, Oklahoma
10-14-57	3522	Frozen Vege.	34,000	Arlington, Wash.	Kansas City, Kansas
10-15-57	3536	Frozen Fruit	3,200	Chicago, Ill.	Kansas City, Missouri
		Frozen Fru&Berr.	26,040	Chicago, Ill & Frankfort, Mich.	Kansas City, Missouri
10-16-57	3542	Frozen Vege.	11,850	Santa Maria,Modesto &Santa Cruz, Calif.	Wichita, Kansas
		Fro Berr&Vege.	8,100	Santa Maria, & Watsonville, Calif.	Topeka, Kansas
		Fro.Berr&Vege.	18,582	Salinas,Modesto & Santa Cruz, Calif.	Oklahoma City, Okla.
10-25-57	3553	Frozen Vege.	34,528	Fairmont, Minn	Rogers, Arkansas
10-23-57	3559	Frozen Vege	28,450	Arlington, Wash.	Oklahoma City, Okla.
			6,600	Arlington, Wash.	Wichita, Kansas
10-28-57	3560	Frozen Vege.	28,912	Fairmont, Minn.	Springdale, Ark.
10-28-57	3560	Frozen Fru&Vege.	36,648	Watsonville, Calif.	Kansas City, Missouri
10-18-57	3563	Frozen Vege.	33,278	Fairmont, Minn.	Rogers, Ark.
10-21-57	3569	Frozen Vege.	33,280	Fairmont, Minn.	Springdale, Ark.
10-26-57	3572	Frozen Berries	32,200	Salem, Oregon	Wichita, Kansas
10-26-57	3577	Frozen Fruit	25,687	Traverse City, Mich.	Hutchinson, Kansas
			6,000	Chicago, Ill	Kansas City, Missouri
10-23-57	3578	Frozen Vege.	32,032	Fairmont, Minn.	Springdale, Ark.
10-26-57	3586	Frozen Vegetables	33,280	Fairmont, Minn.	Rogers, Arkansas
10-28-57	3595	Frozen Vegetables	28,49[illegible]	Fairmont, Minn.	Rogers, Arkansas
10-26-57	3598A	Frozen Fruits	32,000	Northport, Mich.	Oklahoma City, Okla.
11-4-57	3599	Frozen Vegetables	6,21[illegible]	Patterson, Calif.	Carthage, Missouri

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DATE	PRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
11-2-57	3609	Frosen Vege.	35,568	Fairmont, Minn.	Springdale & Ft. Smith, Arkansas
11-6-57	3610	Frosen Vege.	35,568	Fairmont. Minn.	Ft. Smith, Arkansas
11-5-57	3617	Frosen Vege.	46,800	Salinas, Calif.	Van Buren, Arkansas
11-6-57	3618	Frosen Vege.	35,568	Fairmont, Minn.	Springdale, Arkansas
11-6-57	3619	Frosen Vege.	35,568	Fairmont, Minn.	Springdale, Arkansas
11-12-57	3621	Fro.Berr&Vege.	14,287	Portland, Ore.	Oklahoma City, Okla.
		Fro Berr&FruitVege.	11,565	Watsonville, Calif.	Oklahoma City, Okla.
		Fro.Berries	10,250	Salinas, Calif.	Oklahoma City, Okla.
		Fro. Berries	1,230	Portland, Ore.	Tulsa, Okla.
11-13-57	3631	Frosen Berries	900	Tacoma, Wash	Wichita, Kansas
11-13-57	3643	Frosen Vege.	30,000	Modesto, Calif.	Carthage, Missouri
11-14-57	3644	Frosen Vege.	4,752	Modesto, Calif.	Topeka, Kansas
		Frosen Fruit	30,540	Watsonville, Calif.	Kansas City, Missouri
		Frosen Vege.	6,225	Santa Clara, Calif.	Kansas City, Missouri
11-12-57	3646	Frosen Fruit	4,500	Traverse City, Mich	Kansas City, Missouri
11-12-57	3656	Frosen Vege.	5,337	Fairmont, Minn.	St. Joseph, Mo.
11-15-57	3664	Frosen Vege.	10,250	Ontario, Ore.	Okla. City, Okla.
		Frosen Vege.	20,800	Caldwell, Idaho	Tulsa, Oklahoma
		" "	8,000	" "	Okla. City, Okla.
11-19-57	3670	Frosen Fruit	3,100	Sanger, Calif.	Kansas City, Missouri
		Frosen Vege & Fru.	36,422	Watsonville, Calif.	Kansas City, Missouri
11-19-57	3673	Frosen Vege.	7,737	Modesto, Calif.	Dodge City, Kansas
		Frosen Fruit	12,620	Sanger, Calif.	Kansas City, Missouri
		Frosen Vege	21,883	Modesto, Calif.	" " "
11-18-57	3675	Frosen Vege	29,994	Fairmont, Minn.	Kansas City, Missouri
11-29-57	3684	Frosen Vege.	503	Modesto, Calif.	Topeka, Kansas
		Frosen Vege.	2,400	Santa Barbara, Calif.	Carthage, Missouri
		Frosen Fruit	1,600	Sanger, Calif.	Tulsa, Okla.
		Frosen Vege.	1,350	Modesto, Calif.	Oklahoma City, Okla.
		Frosen Fru & Vege.	4,725	Watsonville, Calif.	" " "
		Frosen Vege.	4,800	Santa Barbara, Calif.	Little Rock, Ark.
		Frosen Fruit	10,300	Sanger, Calif.	Kansas City, Missouri
11-29-57	3702	Frosen Vege.	37,000	Watsonville, Calif.	Kansas City, Missouri
		" "	5,850	Santa Clara, Calif.	" " "
12-3-57	3702	Frosen Vege.	34,884	Waseca, Minn	Van Buren, Arkansas
11-29-57	3703	Frosen Fruit	22,848	Traverse City, Mich.	Kansas City, Missouri
			6,795	" " "	Kansas City, Kansas

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DATE	PRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
12-4-57	3709	Frozen Vege.	8,500	Snohomish, Wash.	Kansas City, Mo.
		" "	9,900	Arlington, Wash.	Wichita, Kansas
			3,200	Ontario, Ore.	" "
			11,200	Albany, Ore.	Kansas City, Mo.
			5,742	Ontario, Ore.	" " "
11-30-57	3711	FroPruBerr&Vege.	8,920	Portland, Ore.	Oklahoma City, Okla.
		Frozen Vege.	7,920	Puyallup & Arlington, Wash.	Oklahoma City, Okla.
		" "	8,940	" "	Enid, Okla.
			6,800	" "	Hobart, Oklahoma
11-30-57	3713	Frozen Vege.	3,560	Modesto, Calif.	Topeka, Kansas
		Frozen Pru & Vege	29,051	Modesto & Sanger, Calif.	Kansas City, Missouri
11-30-57	3714	Frozen Vege.	36,600	Prosser, Wash.	Clarksville, Ark.
12-4-57	3715	Frozen Pru & Vege.	40,884	Watsonville, Calif.	Kansas City, Missouri
12-16-57	3724	Frozen Berr & Vege.	2,416	Watsonville, Calif.	Oklahoma City, Okla.
		" " "	8,788	" "	Tulsa, Oklahoma
		Frozen Vege.	2,208	" "	Wichita, Kansas
		" "	4,800	Santa Barbara, Cal.	Oklahoma City, Okla.
		" "	4,854	Modesto, Santa Barbara &Santa Cruz,Cal.	Kansas City, Missouri
		Frozen Vege &Berr	11,532	Modesto, Santa Cruz, Santa Maria & Santa Barbara, Calif.	Topeka, Kansas
		Frozen Vege.	8,850	" "	Wichita, Kansas
12-9-57	3743	Frozen Fruit	6,400	Traverse City, Mich.	Kansas City, Missouri
		Frozen Vege.&Fruit	24,014	Traverse City & Lawrence, Mich.	Kansas City, Missouri
12-16-57	3745	Frozen Berries	8,500	Portland, Oregon	Topeka, Kansas
		" "	11,900	" "	Wichita, Kansas
		" "	669	" "	Kansas City, Missouri
		" "	5,232	Salem, Oregon	Kansas City, Missouri
		" "	8,750	" "	Topeka, Kansas
12-18-57	3748	Frozen Vege.	12,000	Snohomish, Wash.	Kansas City, Mo.
			23,100	Ontario, Ore.	" " "
			3,200	" "	Ft. Smith, Ark.
12-17-57	3749A	Frozen Vege.	9,775	Fairmont, Minn.	Oklahoma City, Okla.
			7,825	" "	Albuquerque, New Mexico
			9,922	" "	Kansas City, Missouri
			9,490	Kansas City, Mo.	Oklahoma City, Oklahoma
12-18-57	3750	Frozen Vege	33,390	Arlington, Wash.	Clarksville, Ark.
			4,768	Ontario, Oregon	Ft. Smith, Arkansas

DATE	PRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
12-21-57	3761	Frozen Fruit	1,950	Modesto, Calif.	Kansas City, Mo.
		Frozen Fru & Vege.	34,750	Santa Clara, Sanger, &Modesto, Calif.	Kansas City, Mo.
		Frozen Fruit	5,625	Los Angeles, Calif.	Kansas City, Kansas
12-20-57	3773	Frozen Fru & Vege.	38,635	Watsonville, Calif.	Kansas City, Missouri
1-4-58	3815	Frozen Berries	2,400	Chicago, Ill.	Oklahoma City, Okla.
		Frozen Fruit	27,750	Traverse City, Mich.	Wichita and Hutchinson, Kans.
1-15-58	3823	Frozen Fru & Vege.	35,800	Santa Clara, Sanger, Modesto, Calif.	Kansas City, Missouri
1-11-58	3825	Frozen Fru & Vege.	28,266	Watsonville, Sanger &Modesto, Calif.	Oklahoma City, Okla.
		Frozen Berries	9,000	Santa Clara, Calif	Tulsa, Oklahoma
1-11-58	3830	Frozen Vege.	3,420	Amarillo, Texas	Ft. Smith, Arkansas
1-15-58	3831	Frozen Vege.	10,000	Arlington, Wash.	Wichita, Kansas
			6,400	Ontario, Oregon	" "
			11,640	" "	Little Rock, Arkansas
			9,860	Arlington, Wash.	Enid, Okla & Hutchinson, Kans.
1-16-58	3838	Frozen Vege.&Berr.	4,175	Watsonville, Calif.	Oklahoma City, Oklahoma
		Frozen Vegetables	8,762	Modesto, Santa Clara, Santa Maria, Calif.	" " "
		Frozen Vegetables	10,770	Modesto, Santa Cruz Santa Maria, Calif.	Topeka, Kansas
		Frozen Vegetables	8,400	Modesto, Santa Cruz Santa Maria, Calif.	Wichita, Kansas
		Frozen Fruit	2,700	Watsonville, Calif.	Wichita, Kansas
		Frozen Vegetables	7,532	Watsonville & Modesto, Calif.	Topeka, Kansas
		Frozen Vegetables	3,180	Modesto. Watsonville, Santa Cruz, Calif.	Kansas City, Missouri
		Frozen Berries	1,400	Topeka, Kansas	Kansas City, Missouri
1-15-58	3839	Frozen Berr & Vege.	38,050	Arlington, Wash.& Puyallup, Wash & Portland, Oregon	Kansas City, Missouri
1-14-58	3842	Frozen Fruit	1,650	Sanger, Calif.	Kansas City, Missouri
			35,868	Watsonville, Calif.	Kansas City, Missouri
			3,600	Sanger, Calif.	Kansas City, Missouri
1-20-58	3843	Frozen Fruit	28,832	Omaha, Nebraska	Salisbury, Maryland
1-11-58	3847	Frozen Vegetables	30,015	Fairmont, Minn	Kansas City, Missouri
1-18-58	3853	Frozen Vege.&Berr.	37,526	Arlington, Snohomish Washington & Albany, Ontario, Oregon	Kansas City, Missouri
1-20-58	3870	Frozen Fruit	39,104	Omaha, Nebraska	Modesto, California
1-18-58	3873	Frozen Vegetables	33,7[illegible]	Fairmont, Minn	Kansas City, Missouri

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DATE	FRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
1-28-58	3880	Frosen Vege.	10,492	Modesto, Calif.	Carthage, Mo.
		Frosen FruitVege.	17,678	Santa Clara, Sanger, & Modesto, Calif.	Kansas City, Missouri
		Frosen Vege.	3,100	Santa Clara, Calif.	Kansas City, Missouri
		Frosen Berries	7,550	" " "	St. Joseph, Missouri
1-29-58	3882	Fro FruitVege	10,800	Modesto &Sanger Cal.	Ft. Smith, Ark.
		Frosen Vege.	20,008	Modesto, Calif.	Carthage, Mo.
		Frosen Berries	6,901	Watsonville, Calif.	Oklahoma City, Okla.
1-28-58	3885	Frosen Vege.	9,212	Ontario, Ore.	Wichita, Kansas.
		" "	16,625	Weston, Oregon	Denver, Colo
		Frosen Fru & Vege.	10,948	Portland, Oregon	Okla. City, Okla.
1-28-58	3891	Frosen Vege.	38,760	Modesto, Calif.	Fayetteville, Ark.
1-29-58	3893	Frosen Fruit	26,150	Traverse City, Mich.	Hutchinson & Wichita, Kansas
2-3-58	3901	Frosen Vege.	36,180	Watsonville, Calif.	Kansas City, Missouri
			4,500	Yuba City, Calif.	" " "
2-10-58	3904	Frosen Vege	10,100	Ontario, Oregon	Kansas City, Missouri
		Frosen Berries	18,900	Salem, Oregon	Kansas City, Missouri
		Frosen Vege.	5,400	Tacoma, Wash.	Emporia, Kansas
2-4-58	3906	Frosen Vege.	20,702	Ontario, Ore. & Nampa, Idaho	Wichita, Kansas
		" "	5,270	Arlington, Wash.	Enid, Oklahoma.
		" "	4,250	" "	Hobart, Oklahoma
		" "	6,300	Yakima, Wash.	Bethany, Okla.
2-5-58	3912	Frosen Berries	2,700	Patterson, Calif.	Wichita, Kansas
		Frosen Berries	1,800	Watsonville, Calif.	Hutchinson, Kansas
		FroBerr & Vege.	20,472	Modesto, Santa Maria, & San Jose, Calif.	Wichita, Kans. & Tulsa, Okla.
2-3-58	3918	Frosen Vege.	20,750	Fairmont, Minn.	Kansas City, Missouri
2-10-58	3923	Frosen Vege.	17,488	Ontario, Ore.	Topeka, Kansas
		Frosen Vege.	16,500	Snohomish, Wash.	Kansas City, Mo.
		Frosen Berr.	5,390	" "	" " "
		Frosen Vege.	1,700	" "	Emporia, Kansas
2-10-58	3933	Frosen Fruit	28,238	Traverse City, Mich.	Wichita and Hutchinson, Kans.
2-12-58	3940	Frosen Vegetables	36,331	Watsonville & Salinas, Calif.	Kansas City, Missouri
2-12-58	3941	Frosen Vegetables	11,901	Modesto, San Jose & Santa Maria, Calif.	Oklahoma City, Okla.
		" "	17,927	" " "	Wichita, Kansas
		" "	9,540	" " "	Topeka, Kansas

DATE	PRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
2-12-58	3942	Frozen Vege.	8,100	Modesto & San Jose, California	Topeka, Kansas
		Frozen Vege.	9,266	Santa Clara, Calif.	Kansas City, Missouri
		Frozen Fruit	9,860	Sanger, Calif.	" " "
		Fro.Berr&Vege.	10,668	Watsonville, San Jose, Modesto, Calif.	" " "
2-11-58	3953	Frozen Vege.	3,801	Watsonville, Calif.	Topeka, Kansas
		Frozen Fruit	30,000	" "	Kansas City, Missouri
2-11-58	3954	Frozen Fru&Vege.	37,056	Sanger & Modesto, Calif.	Kansas City, Missouri
2-18-58	3956	Frozen Vege.	36,112	Arlington, Wash.	Clarksville, Arkansas
2-19-58	3958	Frozen Vege	27,100	Weston, Oregon & Ontario, Oregon	Kansas City and St. Joseph, Missouri
		Frozen Berries	13,500	Gresham, Oregon	Kansas City, Missouri
2-18-58	3964	Frozen Vege.	1,313	Tacoma, Wash.	Kansas City, Kansas
2-24-58	3983	Frozen Berries	3,600	San Jose, Calif.	Wichita, Kansas
		" "	9,000	" " "	Kansas City, Missouri
		Frozen Vege.	5,400	Modesto, Calif.	St. Joseph, Missouri
		Frozen Berr&Fruit	4,125	Sanger, Calif.	Kansas City, Kansas
		Frozen Vege.	7,500	Santa Cruz, Calif.	" " "
		" "	4,500	Modesto, Calif.	" " "
2-24-58	3983	Frozen Berries	9,000	Watsonville, Calif.	Wichita, Kansas
2-22-58	3986	Frozen Vege.	30,731	Auburn, Wash.	Smith Center, Kansas
			4,800	Zillah, Wash	" " "
			4,150	Kent, Wash.	" " "
2-26-58	3992	Frozen Vege.	1,525	Monroe, Wash.	Fayetteville, Ark.
2-26-58	3996	Frozen Fruit	9,800	Sanger, Calif.	Kansas City, Missouri
			10,509	Modesto, Calif.	" " "
		Frozen Vege.	12,355	Oxnard, Santa Clara, & Sanger, Calif.	Smith Center, Kansas

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DATE	PRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
3-5-58	4008	Frozen Fruits	32,200	Hart, Mich.	Okla City, Okla.
3-3-58	4011	Frozen Vegetables	46,800	Salinas, Calif.	Van Buren, Ark.
3-4-58	4014	Frozen Vegetables	14,976	Salinas, Calif.	Van Buren, Ark.
		&Frozen Berries	1,200	" "	Tulsa, Okla.
			6,000	" "	Okla City, Okla.
3-10-58	4022	Frzn Vege&Berr.	8,929	Portland, Oregon	Okla City, Okla.
			20,950	Sumner, Wash.	Tulsa, Okla.
			4,104	Ontario, Oregon	Smith Center, Kansas
			960	" "	Hutchinson, Kansas
			2,186	" "	Okla City, Okla.
3-19-58	4026	Frozen Fruits	12,750	Ludington, Mich.	Wichita, Kansas
			17,408	Paw Paw, Mich.	Kansas City, Mo.
3-10-58	4028	FrznFruBerr&Vege.	8,424	Salinas, Calif.	Van Buren, Ark.
			4,183	Watsonville, Calif.	Tulsa, Okla.
			8,900	" "	Okla City, Okla.
			6,400	San Jose, Calif.	Springfield, Mo.
			12,150	Modesto, Calif.	Kansas City, Mo.
3-7-58	4031	Frozen Vegetables	11,700	Ft. Smith, Ark.	San Francisco, Calif.
3-11-58	4031	Frzn Fru&Vege.	37,168	Watsonville, Calif.	Kansas City, Mo.
			3,518	Santa Clara, Calif.	" "
3-7-58	4034	Frozen Fruits	15,250	Traverse City, Mich.	Hutchinson, Kansas
			19,200	" "	Kansas City, Mo.
3-12-58	4035	Frzn Vege&Berr.	37,431	Albany, Oregon	Okla City, Okla.
				Ontario, Oregon	Pittsburg, Kansas
				Nampa, Idaho	Kansas City, Kansas
				Salem, Oregon	Kansas City, Mo.
3-15-58	4037	Frzn Vege&Berr.	11,550	Nampa, Idaho	Kansas City, Kansas
			10,650	Ontario, Oregon	Kansas City, Mo.
			12,908	Albany, Oregon	" "
3-11-58	4039	Frozen Fruits	32,000	Ludington, Mich.	Okla City, Okla.
3-19-58	4048	Frzn Vege&Berr.	3,300	Arlington, Wash.	Little Rock, Ark.
			2,250	" "	Ft. Smith, Ark.
			19,200	Snohomish, Wash.	Kansas City, Mo.
			3,450	Sumner, Wash.	" "
			1,800	Mt. Vernon, Wash.	Smith Center, Kansas
3-15-58	4050	Frzn Fru&Vege.	31,503	Hillsboro, Oregon	Okla City, Okla.
			5,610	Nampa, Idaho	" "
3-15-58	4058	Frozen Fruits	31,936	Paw Paw, Mich.	Kansas City, Mo.
3-20-58	4061	Frzn Fru&Vege.	35,869	Watsonville, Calif.	Albuquerque, N. M.
				Sanger, Calif.	Amarillo, Texas
				Modesto, Calif.	
				Santa Clara, Calif.	

DATE	PRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
3-20-58	4065	Frozen Fruits	16,000	Traverse City, Mich.	Topeka, Kansas
			11,700	" "	Wichita, Kansas
			3,200	Frankfort, Mich.	" "
3-25-58	4078	Fran Vege&Berr.	6,600	Snohomish, Wash.	Kansas City, Mo.
			22,130	Salem, Oregon	" "
3-31-58	4079	Fran Vege&Berr.	37,942	Portland, Oregon	Okla City, Okla.
3-27-58	4084	FranFruBerr&Vege.	3,600	Watsonville, Calif.	Wichita, Kansas
			3,150	" "	Hutchinson, Kansas
			1,675	Modesto, Calif.	Topeka, Kansas
			7,200	Santa Clara, Calif.	St. Joseph, Mo.
			20,290	Modesto, Calif.	Kansas City, Mo.
3-21-58	4085	Frozen Fruits	32,000	Detroit, Mich.	Omaha, Nebr.
					Kansas City, Mo.
3-31-58	4094	Fran Vege&Berr.	1,350	Portland, Oregon	Meade, Kansas
			7,875	Burley, Idaho	Wichita, Kansas
			23,575	Tacoma, Wash.	" "
				Arlington, Wash.	
3-31-58	4095	Fran Vege&Berr.	10,976	Ridgefield, Wash.	St. Joseph, Mo.
			15,200	Ontario, Oregon	Kansas City, Mo.
3-28-58	4097	Fran Fru&Vege.	39,500	Patterson, Calif.	Kansas City, Mo.
				Modesto, Calif.	
				Sanger, Calif.	
3-29-58	4098	Frozen Vegetables	32,988	Watsonville, Calif.	Kansas City, Mo.
			5,325	Modesto, Calif.	Topeka, Kansas
3-29-58	4100	Fran Vege&Berr.	13,200	Snohomish, Wash.	Kansas City, Mo.
			4,050	Sumner, Wash.	" "
			21,500	Portland, Oregon	" "
4-1-58	4102	Fran Vege&Berr.	6,600	Vancouver, Wash.	Tulsa, Okla.
			13,700	Tacoma, Wash.	Springfield, Mo.
			9,024	Portland, Oregon	Okla City, Okla.
			3,300	Salem, Oregon	" "
			4,708	Ontario, Oregon	Tulsa, Okla.
3-28-58	4106	Frozen Fruits	32,000	Traverse City, Mich.	Kansas City, Mo.
4-1-58	4109	FranFruBerr&Vege.	47,882	Salinas, Calif.	Okla City, Okla.
				Watsonville, Calif.	Tulsa, Okla.
4-3-58	4110	Frozen Vegetables	32,760	Watsonville, Calif.	Kansas City, Mo.
3-28-58	4113	Frozen Vegetables	7,215	Fairmont, Minn.	St. Joseph, Mo.
			26,710	" "	Kansas City, Mo.
3-28-58	4114	Frozen Vegetables	33,813	Winnebago, Minn.	Kansas City, Mo.
4-7-58	4128	Frozen Fruits	8,825	Traverse City, Mich.	Hutchinson, Kansas
			24,000	Frankfort, Mich.	" "

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DATE	PRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
4-14-58	4130	Frzn Vege&Berr.	3,000	Santa Cruz, Calif.	West Burlington, Iowa
			750	" "	Macomb, Ill.
			3,600	San Francisco, Calif.	Davenport, Iowa
			10,200	" "	St. Louis, Mo.
			3,750	Watsonville, Calif.	Galesburg, Ill.
			11,930	" "	St. Louis, Mo.
4-8-58	4138	Frzn Fru&Vege.	37,626	Modesto, Calif. Santa Clara, Calif. Sanger, Calif. Watsonville, Calif.	Kansas City, Mo.
4-24-58	4150	FrznFruBerr&Vege.	5,222	Watsonville, Calif.	Okla City, Okla.
			9,732	" "	Wichita, Kansas
			9,000	" "	Liberal, Kansas
			6,300	Oxnard, Calif. San Jose, Calif.	Smith Center, Kansas
4-15-58	4157	Frozen Berries	36,556	Portland, Oregon Salem, Oregon	Kansas City, Mo.
4-17-58	4160	FrznFruBerr&Vege.	12,150	Sunnyvale, Calif.	Van Buren, Ark.
			4,200	Watsonville, Calif.	Okla City, Okla.
			15,732	Fresno, Calif.	Springfield, Mo.
			525	Santa Cruz, Calif.	Ponca City, Okla.
			4,830	Watsonville, Calif.	" "
4-17-58	4165	Frozen Vegetables	6,800	Burlington, Wash.	Emporia, Kansas
			5,238	Kent & Zillah, Wash.	Smith Center, Kansas
			12,000	Ontario, Oregon	Dodge City, Kansas
			5,800	" "	Kansas City, Mo.
			5,100	Caldwell, Idaho	" "
4-18-58	4165	Frozen Vegetables	35,625	Fairmont, Minn.	Kansas City, Mo.
4-22-58	4184	Frzn Fru&Vege.	35,993	Watsonville, Calif.	Kansas City, Mo.
4-24-58	4192	Frozen Vegetables	8,680	Fairmont, Minn.	St. Joseph, Mo.
			11,050	" "	Kansas City, Mo.
			4,522	" "	Smith Center, Kansas
4-24-58	4193	Frozen Fruits	40,000	Omaha, Nebr.	Modesto, Calif.
4-29-58	4196	Frzn Vege&Berr.	4,550	Kent, Wash.	Smith Center, Kansas
			17,500	Seattle, Wash.	Wichita, Kansas
			5,175	Snohomish, Wash.	Kansas City, Mo.
			4,600	Ontario, Oregon	" "
4-28-58	4199	Frozen Vegetables	8,750	Oxnard & Santa Clara, Calif.	Smith Center, Kansas
			4,358	San Francisco & Modesto, Calif.	Topeka, Kansas
			838	Modesto, Calif.	Kansas City, Mo.
			17,121	San Jose, Modesto, Santa Clara, Calif.	" "
			4,655	Yuba City, Calif.	" "
4-24-58	4201	Frozen Vegetables	30,928	Clayton, Delaware	Springdale, Ark.

DATE	PRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
4-26-58	4205	Frozen Vegetables	20,175	Ft. Smith, Ark.	Detroit, Mich.
4-28-58	4212	Frozen Berries	14,921	Chicago, Ill.	Kansas City, Mo.
4-29-58	4214	Frozen Vegetables	33,660	Waseca, Minn.	Van Buren, Ark.
5-6-58	4221	Frozen Vegetables	5,518 34,164	Portland, Oregon Portland,&Weston, Ore,&Caldwell,Ida.	Okla City, Okla. Tulsa, Okla.
5-6-58	4225A	Frozen Vegetables	9,900 3,672 9,174 982	Snohomish, Wash. Sumner, Wash. Ontario, Oregon " "	Kansas City, Mo. " " " " Kansas City, Kansas
5-12-58	4233	Frozen Berries	41,230 6,160	Watsonville, Calif. Sacramento & Tuba City, Calif.	Wichita, Kansas " "
5-12-58	4239	FranFruBerr&Vege.	3,750 17,360 9,000	Watsonville, Calif. " " " "	Tulsa, Okla. Okla City, Okla. Liberal, Kansas
5-13-58	4242	Frozen Fruits	29,996	Traverse City, Mich. Frankfort, Mich.	Kansas City, Mo.
5-7-58	4244	Frozen Vegetables	27,959	Ft. Smith, Ark.	Philadelphia, Pa. Camden, N. J.
5-16-58	4245	Frozen Vegetables	2,666 7,259	Fairmont, Minn. " "	St. Joseph, Mo. Smith Center, Kansas
5-8-58	4246	Frozen Vegetables	32,460	Fairmont, Minn.	Kansas City, Mo.
5-7-58	4246	Frozen Vegetables	33,060	Ft. Smith, Ark.	Chicago, Ill.
5-13-58	4249	Fran Fru&Vege.	40,400	Watsonville, Calif. Sanger, Calif.	Kansas City, Mo.
5-14-58	4250	Frozen Fruits	32,000	Benton Harbor, Mich.	Kansas City, Mo.
5-13-58	4252	FranFruBerr&Vege.	27,305 18,800	Watsonville, Calif. " "	Topeka, Kansas Kansas City, Mo.
5-12-58	4254	Frozen Vegetables	41,600	Sacramento, Calif.	Springdale, Ark.
5-17-58	4260	Frozen Berries	39,048	Auburn&Seattle,Wash.	Kansas City, Mo.
5-21-58	4262	Fran Vege&Berr.	39,253	Puyallup&Snohomish, Wash.,&Salem,Ore.	Kansas City, Mo.
5-20-58	4270	Frozen Vegetables	982 27,832 8,386	Ontario, Oregon " " Caldwell, Idaho	Kansas City, Kansas Kansas City, Mo. " "
5-19-58	4271	Frozen Vegetables	41,600	Sacramento, Calif.	Springdale, Ark.

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DATE	PRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
5-20-58	4272	Frozen Vegetables	36,900	Modesto, Calif.	Kansas City, Mo.
5-19-58	4274	Frozen Fruits	40,310	Omaha, Nebr.	Modesto, Calif.
5-24-58	4280	Fran Vege&Berr.	21,675	Snohomish, Wash.	Kansas City, Mo.
			5,950	Arlington, Wash.	Kansas City, Kansas
			5,950	Weston, Oregon	" "
5-24-58	4283	FranFruBerr&Vege.	45,695	Modesto, Calif. Watsonville, Calif. Patterson, Calif. Sanger, Calif.	Okla City, Okla.
5-23-58	4285	Frozen Vegetables	37,800	Modesto, Calif.	Carthage, Mo.
			1,961	" "	Dodge City, Kansas
5-27-58	4289	FranFruBerr&Vege.	32,891	Benton Harbor, Mich. Beulah, Mich. Traverse City, Mich.	Kansas City, Mo.
5-27-58	4290	Frozen Fruits	31,170	Benton Harbor, Mich. Traverse City, Mich.	Kansas City, Mo.
6-2-58	4291	Frozen Vegetables	38,200	Caldwell, Idaho	Little Rock, Ark. Shreveport, La. New Orleans, La.
5-29-58	4292	Fran Vege&Berr.	5,965	Salem, Oregon	Bethany, Okla.
			15,865	Portland, Oregon	Okla City, Okla.
			13,802	Seattle, Wash.	Okla City, Okla.
			2,600	Portland, Oregon	Enid, Okla.
6-12-58	4296	Frozen Vegetables	41,600	Sacramento, Calif.	Springdale, Ark.
5-24-58	4297	Frozen Vegetables	29,979	Fairmont, Minn.	Kansas City, Mo.
5-24-58	4297	Frozen Vegetables	35,168	Omaha, Nebr.	St. Joseph, Mo. Fairmont, Minn.
6-5-58	4299	Fran Vege&Berr.	39,800	Watsonville, Calif. Modesto, Calif. Santa Clara, Calif.	Kansas City, Mo.
5-24-58	4300	Frozen Vegetables	31,692	Ft. Smith, Ark.	Kansas City, Kansas
6-3-58	4305	Fran Vege&Berr.	18,275	Arlington&Prosser, Wash.	Denver, Colo.
			14,451	Arlington, Puyallup& Seattle, Wash.	Wichita, Kansas
6-3-58	4306	FranFruBerr&Vege.	26,210	Seattle, Wash. & Salem &Milton-Freewater, Ore.	Kansas City, Mo.
			6,082	Ontario, Oregon	Wichita, Kansas
6-3-58	4307	Fran Vege&Berr.	7,800	San Jose&Santa Maria, Calif.	Okla City, Okla.
			28,100	Modesto&San Jose, Calif.	Wichita, Kansas

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DATE	PRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
5-31-58	4308	Fran Fru&Vege.	30,364	Sanger, Calif.	Kansas City, Mo.
6-5-58	4314	Frozen Vegetables	44,622	Watsonville, Calif.	Kansas City, Mo.
6-18-58	4319	Frozen Fruits	32,000	Traverse City, Mich.	Kansas City, Mo.
6-5-58	4321	Frozen Fruits	32,000	Traverse City, Mich.	Kansas City, Mo.
6-6-58	4321	Fran Vege&Berr.	15,200	Ft. Smith, Ark.	Chicago, Ill.
			15,300	" "	St. Louis, Mo.
6-10-58	4332	Frozen Fruits	36,690	Salem, Oregon	Kansas City, Mo.
6-9-58	4339	Frozen Vegetables	20,146	Kansas City, Kansas	Los Angeles, Calif.
6-9-58	4341	Frozen Vegetables	10,180	Fairmont, Minn.	St. Joseph, Mo.
			21,505	" "	Kansas City, Mo.
6-11-58	4344	Fran Vege&Berr.	37,555	Snohomish, Wash. Salem, Oregon Ontario, Oregon Milton-Freewater,Ore.	Kansas City, Mo.
6-18-58	4345	FranFruBerr&Vege.	39,019	Modesto&Sanger,Calif.	Kansas City, Mo.
6-19-58	4347	Frozen Vegetables	34,680	Omaha, Nebr.	Springdale, Ark.
6-11-58	4351	Fran Vege&Berr.	6,173	Watsonville, Calif.	Okla City, Okla.
			7,875	" "	Tulsa, Okla.
			3,600	" "	Wichita, Kansas
			2,200	" "	Liberal, Kansas
			4,500	" "	Hutchinson, Kansas
			3,015	" "	Meade, Kansas
6-27-58	4355	FranFruBerr&Vege.	5,532	Portland, Oregon	Okla City, Okla.
			825	" "	Tulsa, Okla.
			5,650	Ontario, Oregon	" "
			9,650	Salem, Oregon	Smith Center, Kansas
			15,400	Caldwell, Idaho	Memphis, Tenn.
6-13-58	4357	Fran Vege&Berr.	27,900	Ft. Smith, Ark.	Chicago, Ill.
6-17-58	4359	Frozen Vegetables	15,028	Fairmont, Minn.	Smith Center, Kansas
			6,903	" "	Kansas City, Mo.
			6,548	Waseca, Minn.	Van Buren, Ark.
6-18-58	4361	Fran Fru&Vege.	2,550	Santa Clara, Calif.	Smith Center, Kansas
			13,360	Sanger, Calif.	Kansas City, Mo.
			17,391	Watsonville, Calif.	Kansas City, Mo.
			835	" "	Kansas City, Kansas
6-17-58	4362	Frozen Vegetables	27,900	Ft. Smith, Ark.	Exmore, Va.
6-19-58	4362	Frozen Fruits	32,110	Traverse City, Mich.	Kansas City, Mo.
6-19-58	4363A	Frozen Fruits	7,685	Traverse City, Mich.	Omaha, Nebr.
			20,550	" "	Hutchinson, Kansas

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DATE	PRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
6-19-58	4366	Frozen Vegetables	30,928	Clayton, Del.	Springdale, Ark.
6-19-58	4379	Frozen Vegetables	30,928	Clayton, Del.	Springdale, Ark.
6-26-58	4385	Frozen Vegetables	28,050	Omaha, Nebr.	Clayton, Del.
6-28-58	4392	Frozen Vegetables	2,550	Arlington, Wash	Ft. Smith, Ark.
6-28-58	4393	Frozen Fruits	37,342	Salem, Oregon	Kansas City, Mo.
6-25-58	4404	Frozen Vegetables	33,125	Omaha, Nebr.	Fayetteville, Ark.
7-2-58	4407	Frozen Fruits	32,000	Traverse City, Mich.	Kansas City, Mo.
7-1-58	4408	Frozen Vegetables	31,069	Fairmont, Minn.	Kansas City, Mo.
7-9-58	4419	Frzn Fru&Berr.	34,215	Watsonville, Calif.	Pittsburg, Kansas
7-9-58	4425	Frzn Fru&Berr.	30,240	Traverse City, Mich.	Kansas City, Mo.
7-12-58	4413	Frozen Vegetables	8,000	Ontario, Oregon	Kansas City, Kansas
			12,800	" "	Kansas City, Mo.
			10,075	" "	Denver, Colo.
7-18-58	4423	Frozen Vegetables	32,000	Caldwell, Idaho	Lincoln, Nebr.
7-8-58	4434	Frzn Vege&Berr.	22,350	Tacoma, Wash.	Wichita, Kansas
			9,000	" "	Topeka, Kansas
			6,300	" "	Kansas City, Mo.
7-12-58	4437	Frzn Vege&Berr.	9,000	Tacoma, Wash.	Okla City, Okla.
			18,000	" "	Wichita, Kansas
			6,105	Portland, Oregon	Okla City, Okla.
7-7-58	4442	Frozen Vegetables	18,335	Fairmont, Minn.	Kansas City, Mo.
			6,800	" "	St. Joseph, Mo.
7-15-58	4449	FrznFruBerr&Vege.	31,665	Prosser, Wash.	Kansas City, Mo.
			2,520	Salem, Oregon	" "
7-16-58	4452	Frzn Vege&Berr.	14,405	Ontario, Oregon	Okla City, Okla.
			6,950	Sherwood, Oregon	Tulsa, Okla.
			2,900	Salem, Oregon	Bethany, Okla.
			11,246	" "	Wichita, Kansas
			2,100	" "	Kansas City, Mo.
7-17-58	4453	Frozen Vegetables	15,835	Watsonville, Calif.	Kansas City, Mo.
			8,240	" "	Topeka, Kansas
			7,050	Santa Clara & Oxnard, Calif.	Smith Center, Kansas
7-16-58	4455	Frzn Fru&Berr.	24,000	Atascadero, Calif.	Wichita, Kansas
			4,800	" "	Liberal, Kansas
			1,600	" "	Hutchinson, Kansas
			5,240	Watsonville, Calif.	Okla City, Okla.
7-9-58	4456	Frozen Berries	30,000	Tyler, Texas	Minneapolis, Minn.

DATE	PRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
7-16-58	4457	Fran Fru Berr & Vege.	28,941	Modesto, Calif.	Kansas City, Mo.
			1,499	Sanger, Calif.	" "
			4,000	Salinas, Calif.	Leavenworth, Kansas
7-23-58	4471	Frozen Fruits	32,000	Traverse City, Mich.	Kansas City, Mo.
7-17-58	4472	Frozen Fruits	32,000	Lawrence, Mich.	Kansas City, Kansas
7-21-58	4473	Frozen Berries	13,500	Tacoma, Wash.	Kansas City, Mo.
			13,500	" "	Topeka, Kansas
			9,000	" "	Wichita, Kansas
7-21-58	4479	Frozen Vegetables	28,279	Fairmont, Minn.	Kansas City, Mo.
7-24-58	4480	Fran Fru&Vege.	4,950	Snohomish, Wash.	Kansas City, Mo.
			4,800	Wenatchee, Wash.	Kansas City, Kansas
			3,300	" "	Wichita, Kansas
			22,271	Ontario, Oregon	Kansas City, Mo.
7-22-58	4481	Fran Fru Berr & Vege.	33,838	Watsonville, Calif.	Kansas City, Mo.
			4,875	Salinas, Calif.	St. Joseph, Mo.
7-19-58	4483	Frozen Fruits	16,000	Benton Harbor, Mich.	Wichita, Kansas
			16,000	Lawrence, Mich.	Topeka, Kansas
7-23-58	4489	Fran Fru&Berr.	31,900	Benton Harbor, Mich.	Kansas City, Mo.
8-5-58	4493	Frozen Fruits	16,825	Traverse City, Mich.	Hutchinson, Kansas
			16,000	Frankfort, Mich.	Wichita, Kansas
7-22-58	4495	Frozen Fruits	8,000	Frankfort, Mich.	Wichita, Kansas
			24,575	Traverse City, Mich.	Hutchinson, Kansas
7-26-58	4496	Fran Fru Berr & Vege.	26,075	Watsonville, Calif.	Okla City, Okla.
			17,200	" "	Tulsa, Okla.
8-1-58	4500	Frozen Vegetables	42,274	Modesto, Calif.	Okla City, Okla.
7-29-58	4503	Fran Fru Berr & Vege.	13,662	Seattle, Wash.	Kansas City, Mo.
			6,808	Kent, Wash., Zillah, Wash., &Ontario, Ore.	Smith Center, Kansas
			12,690	" " "	Kansas City, Mo.
			3,570	Salem, Oregon	Kansas City, Kansas
7-26-58	4506	Fran Fru Berr & Vege.	3,200	Soquel, Calif.	Wichita, Kansas
			22,510	Watsonville, Calif.	Hutchinson, Kansas
			6,988	" "	Kansas City, Mo.
7-28-58	4519	Fran Fru&Vege.	28,420	Ft. Smith, Ark.	Detroit, Mich.
8-6-58	4530	Frozen Berries	22,500	Tacoma, Wash.	Wichita, Kansas
			20,250	" "	Okla City, Okla.
8-9-58	4523	Fran Fru Berr & Vege.	9,000	Seattle, Wash.	Dodge City, Kansas
			1,600	Ontario, Oregon	St. Joseph, Mo.
			4,000	" "	Dodge City, Kansas
			14,598	Woodburn, Oregon	Kansas City, Mo.

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DATE	PRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
8-6-58	4531	Frozen Berries	22,500	Tacoma, Wash.	Topeka, Kansas
			13,500	" "	Kansas City, Mo.
8-5-58	4532	Frozen Vegetables	8,500	Fairmont, Minn.	Smith Center, Kansas
			19,050	" "	Kansas City, Mo.
8-6-58	4538	Frozen Vegetables	36,668	Modesto, Calif.	Kansas City, Mo.
8-6-58	4539	FranFruBerr&Vege.	32,837	Traverse City, Mich.	Kansas City, Mo.
				Lawrence, Mich.	
				Chicago, Ill.	
8-12-58	4547	Fran Vege&Berr.	8,330	Snohomish, Wash.	Kansas City, Mo.
			26,175	Salem, Oregon	" "
			3,200	Ontario, Oregon	" "
8-9-58	4552	FranFruBerr&Vege.	436	Sanger, Calif.	Kansas City, Mo.
			22,043	Watsonville, Calif.	" "
			3,200	Manteca, Calif.	Smith Center, Kansas
			9,073	Calif.	Topeka, Kansas
8-11-58	4555	Fran Vege&Berr.	9,000	Portland, Oregon	Muskogee, Okla.
			12,568	" "	Tulsa, Okla.
			5,365	" "	Okla City, Okla.
			4,480	Denver, Colo.	Tulsa, Okla.
8-11-58	4559	Fran Fru&Berr.	30,184	Traverse City, Mich.	Kansas City, Mo.
				Benton Harbor, Mich.	
8-13-58	4562	Fran Vege&Berr.	35,100	Tacoma, Wash.	Kansas City, Kansas
			4,000	Ontario, Oregon	Kansas City, Mo.
8-12-58	4565	Frozen Vegetables	30,996	Fairmont, Minn.	Kansas City, Mo.
8-18-58	4571	Frozen Vegetables	35,850	Caldwell, Idaho	St. Louis, Mo.
8-18-58	4572	Fran Vege&Berr.	37,500	Arlington, Wash.	Okla City, Okla.
					Wichita, Kansas
8-19-58	4576	FranFruBerr&Vege.	32,418	Tacoma, Wash.	Columbia, Mo.
			1,800	Kent, Wash.	Smith Center, Kansas
			1,500	Everett, Wash.	Kansas City, Mo.
8-20-58	4577	Frozen Vegetables	36,013	Wash. & Ore.	Kansas City, Mo.
					St. Joseph, Mo.
					Cherokee, Iowa
					Sioux City, Iowa
8-16-58	4581	Fran Fru&Berr.	31,832	Sanger, Calif.	Kansas City, Mo.
			6,322	" "	" "
8-16-58	4583	Frozen Vegetables	34,112	Denver, Colo.	Tulsa, Okla.
8-20-58	4586	Frozen Fru&Berr.	33,896	Lawrence, Mich.	Kansas City, Mo.
8-19-58	4589	Fran Vege&Berr.	7,600	Ft. Smith, Ark.	St. Louis, Mo.
			13,000	" "	Chicago, Ill.

DATE	PRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
8-26-58	4604	Fran Fru&Vege.	37,086	Sanger, Calif. Watsonville, Calif. Modesto, Calif.	Kansas City, Mo. Smith Center, Kansas
8-29-58	4605	Fran Vege&Berr.	3,000	Tacoma, Wash.	Kansas City, Kansas
			3,225	Albany, Oregon	" "
			2,300	Burlington, Wash.	" "
			1,600	Ontario, Oregon	St. Joseph, Mo.
			3,200	" "	Kansas City, Mo.
			7,950	Snohomish, Wash.	" "
			17,325	Salem, Oregon	" "
8-29-58	4605	Frozen Vegetables	37,962	Fairmont, Minn.	Springdale, Ark.
8-28-58	4612	FranFruBerr&Vege.	18,630	Sunnyvale, Calif.	Van Buren, Ark.
			7,113	Watsonville, Calif.	Okla City, Okla.
			4,953	" "	Tulsa, Okla.
			2,270	Salinas, Calif.	" "
9-2-58	4621	Frozen Vegetables	10,000	Ontario, Oregon	Kansas City, Mo.
8-29-58	4623	Frozen Vegetables	37,440	Salinas, Calif.	Dardanelle, Ark. Clarksville, Ark.
8-30-58	4627	Frozen Vegetables	25,676	San Francisco, Calif.	Kansas City, Kansas
			3,520	Modesto, Calif.	" "
			10,065	Modesto, Calif.	Carthage, Mo.
9-4-58	4635	Frozen Vegetables	37,499	Watsonville, Calif.	Kansas City, Mo.
9-5-58	4638	FranFruBerr&Vege.	30,230	Sanger, Calif.	Kansas City, Mo.
			5,300	" "	Lawrence, Kansas
				Paramount, Calif.	
9-5-58	4638	Frozen Vegetables	35,910	Fairmont, Minn.	Fayetteville, Ark.
9-5-58	4639	Frozen Vegetables	35,910	Fairmont, Minn.	Fayetteville, Ark.
9-5-58	4640	Frozen Vegetables	35,910	Fairmont, Minn.	Fayetteville, Ark.
9-5-58	4642	Frozen Vegetables	35,910	Fairmont, Minn.	Fayetteville, Ark.
8-30-58	4644	Frozen Vegetables	32,870	Fairmont, Minn.	Kansas City, Mo.
9-5-58	4645	Frozen Vegetables	35,910	Fairmont, Minn.	Fayetteville, Ark.
9-8-58	4649	Frozen Fruits	46,002	Sanger, Calif.	Kansas City, Kansas
9-8-58	4649	Frozen Vegetables	35,454	Fairmont, Minn.	Fayetteville, Ark.
9-8-58	4650	Frozen Berries	32,040	Salem, Oregon	Spokane, Wash.
9-13-58	4650	Frozen Vegetables	35,682	Fairmont, Minn.	Springdale, Ark.
9-9-58	4651	Frozen Vegetables	23,782	Ontario, Oregon	Denver, Colo.
			8,550	" "	Wichita, Kansas
			4,600	" "	Dodge City, Kansas

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DATE	PRC	COMMODITY	WEIGHT	ORIGIN	DESTINATION
9-10-58	4651	Frozen Vegetables	35,454	Fairmont, Minn.	Fayetteville, Ark.
9-16-58	4652	Fran FruitBerr.	35,264	Portland, Oregon	St. Louis, Mo. Kansas City, Mo.
9-8-58	4658	Frozen Fruits	5,100	Sanger, Calif.	Omaha, Nebr.
			16,830	" "	Kansas City, Kansas
			18,450	" "	Topeka, Kansas
9-10-58	4660	Frozen Fruits	34,256	Lawrence, Mich.	Kansas City, Mo.
9-4-58	4661	Frozen Vegetables	35,910	Fairmont, Minn.	Rogers, Ark.
9-8-58	4664	Frozen Vegetables	35,454	Fairmont, Minn.	Fayetteville, Ark.
9-22-58	4665	Frozen Vegetables	35,330	Ontario, Oregon	Kansas City, Mo.
9-18-58	4667	Frozen Fruits	10,835	Traverse City, Mich.	Wichita, Kansas
			13,100	" "	Hutchinson, Kansas
			8,000	Frankfort, Mich.	Wichita, Kansas
9-13-58	4669	Frozen Fruits	45,968	Sanger, Calif.	Kansas City, Kansas
9-13-58	4670	FranFruBerr&Vege.	37,440	Salinas, Calif.	Dardanelle, Ark.
			2,550	" "	Okla City, Okla.
			3,180	Watsonville, Calif.	" "
9-15-58	4672	FranFruBerr&Vege.	28,619	Watsonville, Calif.	Okla City, Okla.
			9,130	" "	Kansas City, Mo.
9-18-58	4673	Fran VegetBerr.	3,192	Kent, Wash.	Smith Center, Kansas
			4,280	Salem, Oregon	Topeka, Kansas
			16,200	" "	Kansas City, Mo.
			600	" "	Kansas City, Kansas
			9,791	Ontario, Oregon	Kansas City, Mo.
9-16-58	4676	FranFruBerr&Vege.	6,100	Oakland, Calif.	Smith Center, Kansas
			31,605	Watsonville, Calif.	Kansas City, Mo.
			1,760	Sanger, Calif.	Kansas City, Kansas
9-10-58	4679	Frozen Vegetables	35,283	Fairmont, Minn.	Fayetteville, Ark.
9-11-58	4680	Frozen Vegetables	35,454	Fairmont, Minn.	Fayetteville, Ark.
9-17-58	4681	Fran VegetBerr.	33,755	Watsonville, Calif.	Kansas City, Mo.
			6,400	San Jose, Calif.	Pittsburg, Kansas
10-2-58	4688	Fran VegetBerr.	5,600	Sherwood, Oregon	Bethany, Okla.
			2,835	" "	Tulsa, Okla.
			3,200	Salem, Oregon	Okla City, Okla.
			20,215	Portland, Oregon	" "
			3,375	" "	Tulsa, Okla.
9-22-58	4692	Frozen Fruits	32,000	Sanger, Calif.	Kansas City, Mo.
			9,000	Modesto, Calif.	Carthage, Mo.
			1,800	" "	Pittsburg, Kansas
			1,800	" "	Springfield, Mo.
9-20-58	4693	Frozen Fruits	16,000	Traverse City, Mich.	Smith Center, Kansas
			15,000	" "	Kansas City, Mo.

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DATE	PRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
9-26-58	4701	Frozen Vegetables	36,000	Ontario, Oregon	Kansas City, Mo.
9-30-58	4702	Frzn Fruit&Vege.	31,200	Salinas, Calif.	Kansas City, Kansas
			3,600	Paramount, Calif.	" "
			4,585	Los Angeles, Calif.	" "
9-26-58	4704	Frozen Vegetables	38,028	Watsonville, Calif.	Ft. Worth, Texas
9-27-58	4707	Frozen Fruits	30,293	Traverse City, Mich.	Kansas City, Mo.
9-30-58	4712	Frzn Fru Berr & Vege.	3,600	Watsonville, Calif.	Okla City, Okla.
			5,975	" "	Meade, Kansas
			7,558	" "	Tulsa, Okla.
			3,600	Salinas, Calif.	Tulsa, Okla.
			3,600	Atascadero, Calif.	Wichita, Kansas
			7,834	Watsonville, Calif.	" "
9-30-58	4714	Frozen Vegetables	4,883	Burley, Idaho	Omaha, Nebr.
			25,200	" "	Kansas City, Kansas
			4,788	" "	Pittsburg, Kansas
10-1-58	4715	Frzn Fruit Vege.	41,170	Modesto, Calif.	Kansas City, Mo.
10-6-58	4718	Frozen Vegetables	38,125	Mt. Vernon, Wash.	Clarksville, Ark.
10-8-58	4721	Frzn Fru Berr & Vege.	6,875	Salinas, Calif.	St. Joseph, Mo.
			1,860	Sanger, Calif.	Kansas City, Mo.
			24,600	Modesto & Sanger, Calif.	" "
10-3-58	4725	Frozen Berries	7,060	Watsonville, Calif.	Okla City, Okla.
10-15-58	4727A	Frozen Fruits	32,060	Traverse City, Mich.	Kansas City, Mo.
10-7-58	4731	Frozen Vegetables	40,724	Watsonville, Calif.	Kansas City, Mo.
10-3-58	4733	Frozen Vegetables	31,350	Fairmont, Minn.	Kansas City, Mo.
10-13-58	4742	Frozen Vegetables	34,335	Burley, Idaho	Omaha, Nebr.
10-11-58	4749	Frozen Vegetables	8,000	Caldwell, Idaho	Okla City, Okla.
			19,630	" "	Tulsa, Okla.
			2,585	Ontario, Oregon	" "
			3,901	" "	Smith Center, Kansas
10-13-58	4751	Frzn Vege&Berr.	5,530	Stanwood, Wash.	Okla City, Okla.
			2,795	Portland, Oregon	" "
			15,456	Tigard, Oregon	" "
			11,232	Sherwood, Oregon	Kansas City, Mo.
10-11-58	4754	Frozen Vegetables	6,350	Idaho Falls, Idaho	Tulsa, Okla.
			30,163	" "	Ft. Smith, Ark.
10-15-58	4755	Frozen Vegetables	5,250	Ontario, Oregon	Okla City, Okla.
			5,968	" "	Dodge City, Kansas
10-11-58	4756	Frzn Fru Berr & Vege.	9,825	Watsonville, Calif.	Okla City, Okla.
			19,050	" "	Pittsburg, Kansas
			11,130	" "	Springfield, Mo.

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DATE	PRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
10-13-58	4758	Frozen Vegetables	17,446	Ontario, Oregon	Dallas, Texas
			2,025	" "	Lubbock, Texas
			11,182	" "	Amarillo, Texas
			7,298	" "	Commerce, Texas
10-15-58	4759	Frzn FrukVege.	41,676	Watsonville, Sanger, &Santa Clara, Calif.	Kansas City, Mo.
10-14-58	4761	Frozen Berries	3,125	Fresno, Calif.	Wichita, Kansas
			5,440	Watsonville, Calif.	" "
			7,000	Salinas, Calif.	Topeka, Kansas
			11,375	" "	Wichita, Kansas
10-18-58	4769	Frozen Vegetables	35,670	Santa Maria, Calif.	Dardanelle, Ark.
10-22-58	4770	Frozen Vegetables	17,073	Ontario, Oregon	Dallas, Texas
			3,922	" "	Ft. Worth, Texas
			6,400	" "	Okla City, Okla.
			9,650	" "	Tulsa, Okla.
10-20-58	4774	Frozen Vegetables	32,886	Burley, Idaho	Omaha, Nebraska
10-18-58	4775	Frozen Vegetables	35,100	Fairmont, Minn.	Fayetteville, Ark.
10-21-58	4779	Frozen Vegetables	12,800	Idaho Falls, Idaho	St. Louis, Mo.
			26,240	" "	Kansas City, Kansas
10-22-58	4780	Frozen Vegetables	30,500	Modesto, Calif.	Carthage, Mo.
10-21-58	4782	Frozen Vegetables	13,080	Fairmont, Minn.	St. Joseph, Mo.
			22,250	" "	Kansas City, Mo.
10-27-58	4785	Frozen Vegetables	34,017	Fairmont, Minn.	Omaha, Nebr.
10-22-58	4786	Frzn VegetBerr.	3,200	Zillah, Wash.	Smith Center, Kansas
			3,500	Kent, Wash.	" "
			8,789	Chehalis, Wash.	" "
			4,500	Salem, Oregon	" "
			6,299	Ontario, Oregon	Kansas City, Mo.
			1,440	Salem, Oregon	Kansas City, Kansas
			900	" "	St. Joseph, Mo.
10-21-58	4786	Frozen Vegetables	32,620	Searcy, Ark.	Hillsboro, Oregon
10-20-58	4788	Frozen Vegetables	35,100	Fairmont, Minn.	Fayetteville, Ark.
10-28-58	4794	Frozen Vegetables	37,548	Burley, Idaho	Kansas City, Mo.
10-28-58	4797	Frozen Vegetables	8,565	Ontario, Oregon	Denver, Colo.
			16,650	" "	Kansas City, Kansas
			8,850	" "	Topeka, Kansas
10-30-58	4801	Frozen Vegetables	36,195	Idaho Falls, Idaho	Kansas City, Kansas
10-24-58	4802	Frozen Vegetables	36,144	Fairmont, Minn.	Kansas City, Mo.
10-24-58	4802	Frozen Vegetables	33,020	Fairmont, Minn.	Fayetteville, Ark.
10-28-58	4803	Frozen Vegetables	36,629	Modesto, Calif.	Kansas City, Mo.
			3,240	Watsonville, Calif.	Topeka, Kansas

DATE	PRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
10-31-58	4805	Frozen Vegetables	6,300	Burley, Idaho	Kansas City, Kansas
			4,725	" "	Pittsburg, Kansas
			4,725	" "	Topeka, Kansas
			18,900	" "	Kansas City, Mo.
10-27-58	4808	Frozen Vegetables	37,960	Fairmont, Minn.	Fayetteville, Ark.
10-28-58	4809	Frozen Fruits	26,450	Hart, Mich.	St. Louis, Mo.
				Benton Harbor, Mich.	Pittsburg, Kansas
					Topeka, Kansas
					Kansas City, Kansas
10-24-58	4810	Frozen Vegetables	35,100	Fairmont, Minn.	Fayetteville, Ark.
10-31-58	4812	FrznFruBerr&Vege.	4,500	Modesto, Calif.	Kansas City, Kansas
			2,475	" "	St. Joseph, Mo.
			7,900	Watsonville, Calif.	Kansas City, Mo.
			16,600	Sanger, Calif.	" "
			1,800	Oxnard, Calif.	Smith Center, Kansas
			4,444	Santa Clara, Calif.	" "
10-31-58	4812	Frozen Vegetables	35,932	Fairmont, Minn.	Fayetteville, Ark.
10-24-58	4813	Frozen Vegetables	31,980	Fairmont, Minn.	Fayetteville, Ark.
10-31-58	4815	Frozen Vegetables	35,776	Fairmont, Minn.	Fayetteville, Ark.
10-24-58	4816	Frozen Vegetables	31,980	Fairmont, Minn.	Fayetteville, Ark.
11-1-58	4822	Frozen Vegetables	39,743	Watsonville, Calif.	Kansas City, Mo.
11-1-58	4822	Frozen Vegetables	30,500	Winnebago, Minn.	St. Joseph, Mo.
11-1-58	4826	Frozen Vegetables	38,160	Pendleton, Ore.	Dardanelle, Ark.
11-3-58	4828	Frozen Vegetables	30,550	Ontario, Oregon	Okla City, Okla.
			7,650	" "	Tulsa, Okla.
10-27-58	4830	Frozen Vegetables	37,908	Fairmont, Minn.	Fayetteville, Ark.
10-27-58	4831	Frozen Vegetables	37,960	Fairmont, Minn.	Fayetteville, Ark.
11-4-58	4832	Frozen Vegetables	7,559	Portland, Oregon	Tulsa, Okla.
			18,341	Ontario, Oregon	Wichita, Kansas
			10,935	Portland, Oregon	Okla City, Okla.
11-4-58	4833	Frozen Vegetables	6,350	Idaho Falls, Idaho	Springfield, Mo.
			28,575	" "	Ft. Smith, Ark.
10-30-58	4837	Frozen Berries	33,572	Carthage, Mo.	Chicago, Ill.
10-31-58	4837	Frozen Vegetables	34,060	Fairmont, Minn.	Fayetteville, Ark.
11-6-58	4839	Frozen Vegetables	35,055	Fairmont, Minn.	St. Joseph, Mo.
11-3-58	4841	Frozen Vegetables	35,000	Fairmont, Minn.	St. Joseph, Mo.
10-31-58	4842	Frozen Vegetables	35,984	Fairmont, Minn.	Fayetteville, Ark.

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DATE	PRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
11-7-58	4843	Frozen Vegetables	35,055	Fairmont, Minn.	St. Joseph, Mo.
11-6-58	4844	Frozen Vegetables	30,500	Winnebago, Minn.	St. Joseph, Mo.
			6,600	Fairmont, Minn.	Kansas City, Mo.
11-8-58	4845	FrznFruBerr&Vege.	18,230	Watsonville, Calif.	Okla City, Okla.
			14,186	" "	Tulsa, Okla.
11-5-58	4850	Frozen Berries	25,200	Springdale, Ark.	Kansas City, Mo.
11-5-58	4850A	Frozen Vegetables	25,024	Ft. Smith, Ark.	St. Louis, Mo.
					Columbia, Mo.
11-13-58	4851	FrznFruBerr&Vege.	26,570	Tacoma, Wash.	Kansas City, Mo.
			1,050	Ontario, Oregon	" "
			5,745	" "	Kansas City, Kansas
			1,080	Salem, Oregon	Kansas City, Kansas
			1,530	" "	Topeka, Kansas
11-11-58	4866	FrznFruBerr&Vege.	12,600	Atascadero, Calif.	Topeka, Kansas
			7,200	" "	Kansas City, Mo.
			9,000	Watsonville, Calif.	Kansas City, Kansas
			5,990	" "	Kansas City, Mo.
11-12-58	4867A	Frozen Vegetables	29,760	Little Rock, Ark.	St. Louis, Mo.
11-12-58	4867A	Frozen Fruits	29,670	Frankfort, Mich.	Kansas City, Mo.
				Traverse City, Mich.	
11-11-58	4868	Frozen Berries	12,600	Atascadero, Calif.	Okla City, Okla.
			12,294	" "	Wichita, Kansas
			9,950	Salinas, Calif.	Liberal, Kansas
11-18-58	4869	Frzn Fru&Vege.	16,577	Hillsboro, Ore.	Tulsa, Okla.
			21,898	" "	Okla City, Okla.
11-8-58	4871	Frozen Vegetables	1,872	Fairmont, Minn.	Springdale, Ark.
			32,490	" "	St. Joseph, Mo.
11-8-58	4872	Frozen Vegetables	37,107	Fairmont, Minn.	St. Joseph, Mo.
11-11-58	4874	Frozen Vegetables	33,840	Ontario, Oregon	Kansas City, Mo.
			2,144	" "	Salina, Kansas
			600	" "	Kansas City, Kansas
11-12-58	4875	Frozen Vegetables	29,632	Tulsa, Okla.	St. Louis, Mo.
11-20-58	4877	Frozen Berries	8,560	Portland, Oregon	Okla City, Okla.
11-17-58	4882	Frzn Fru&Vege.	11,250	Modesto, Calif.	Kansas City, Mo.
			12,200	Stockton, Calif.	" "
			8,756	Sanger, Calif.	" "
12-1-58	4884	Frozen Vegetables	7,200	Caldwell, Idaho	Okla City, Okla.
			24,850	" "	Tulsa, Okla.
11-18-58	4885	Frozen Vegetables	39,201	Watsonville, Calif.	Kansas City, Mo.
11-14-58	4890	Frozen Fruits	32,000	Frankfort, Mich.	Kansas City, Mo.

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DATE	PRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
11-18-58	4892	Frozen Vegetables	9,925	Idaho Falls, Idaho	Omaha, Nebr.
			25,400	" "	Kansas City, Kansas
11-17-58	4897	Frozen Vegetables	9,350	Fairmont, Minn.	Smith Center, Kansas
11-25-58	4908	FrznFruBerr&Vege.	2,400	Fresno, Calif.	Okla City, Okla.
			4,085	Watsonville, Calif.	" "
			4,702	Modesto, Calif.	" "
			26,317	Stockton, Calif.	Kansas City, Mo.
11-25-58	4916	Frozen Vegetables	36,600	Modesto, Calif.	Carthage, Mo.
11-29-58	4923	Frozen Vegetables	36,703	Idaho Falls, Idaho	Kansas City, Kansas
11-28-58	4928A	Frozen Vegetables	21,900	Ft. Smith, Ark.	Detroit, Mich.
11-28-58	4928A	Frozen Fruits	30,491	Traverse City, Mich.	Kansas City, Mo.
12-2-58	4939	Frzn Vege&Berr.	2,650	Santa Clara, Calif.	St. Joseph, Mo.
			6,200	Salinas, Calif.	" "
12-1-58	4940	Frzn Vege&Berr.	2,310	Portland, Oregon	Okla City, Okla.
			10,808	Burley, Idaho	" "
			3,273	Gresham, Oregon	Tulsa, Okla.
			5,490	Portland, Oregon	" "
			4,350	Weston, Oregon	" "
11-29-58	4947	Frozen Vegetables	36,132	Idaho Falls, Idaho	Tulsa, Okla.
12-9-58	4970B	Frozen Vegetables	12,864	Little Rock, Ark.	St. Louis, Mo.
			12,780	Ft. Smith, Ark.	Detroit, Mich.
12-13-58	4971	Frozen Vegetables	30,130	Idaho Falls, Idaho	Omaha, Nebr.
			6,300	Burley, Idaho	" "
12-9-58	4972	FrznFruBerr&Vege.	2,186	Santa Clara, Calif.	Smith Center, Kansas
			1,504	Watsonville, Calif.	" "
			12,750	San Jose, Calif.	" "
			290	Sanger, Calif.	Wichita, Kansas
12-10-58	4976	Frozen Vegetables	34,608	Idaho Falls, Idaho	St. Louis, Mo.
12-8-58	4980	Frzn Vege&Berr.	660	Auburn, Wash.	Wichita, Kansas
			4,950	Vancouver, Wash.	" "
12-9-58	4981A	Frozen Vegetables	4,125	Arlington, Wash.	Springfield, Mo.
			4,950	" "	Ft. Smith, Ark.
			18,175	" "	Wichita, Kansas
			7,500	" "	Tulsa, Okla.
			2,550	Burley, Idaho	Ft. Smith, Ark.
			800	" "	Wichita, Kansas
12-9-58	4993	Frozen Vegetables	1,576	Oxnard, Calif.	Smith Center, Kansas

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DATE	PRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
12-18-58	5005	Fran Fruit&Vege.	46,430	Watsonville, Calif.	Kansas City, Mo.
12-23-58	5032	Frozen Fruits	37,995	Eau Claire, Mich.	San Francisco, Calif.
12-29-58	5033	Frozen Vegetables	3,375	Arlington, Wash.	Grand Island, Nebr.
			9,945	Stanwood, Wash.	" "
			25,500	Burlington, Wash.	" "
12-30-58	5037	Fran Fruit&Vege.	42,745	Los Angeles, Calif.	Kansas City, Kansas
12-31-58	5044	Fran Fruit&Vege.	25,053	Modesto, Calif.	Kansas City, Kansas
			8,850	" "	Topeka, Kansas
			988	" "	Kansas City, Mo.
			8,000	Soquel, Calif.	" "
1-23-59	5045	Fran Vege&Berr.	2,800	Modesto, Calif.	Tulsa, Okla.
			2,850	Santa Maria, Calif.	" "
			7,575	Modesto, Calif.	Okla City, Okla.
			6,750	Santa Maria, Calif.	" "
			8,750	Salinas, Calif.	Topeka, Kansas
			4,500	Watsonville, Calif.	Okla City, Okla.
12-29-58	5048	Fran Vege&Berr.	38,421	Modesto, Calif.	Wichita, Kansas
				Santa Maria, Calif.	Springfield, Mo.
				Salinas, Calif.	
1-7-59	5050	Fran Vege&Berr.	10,050	Arlington, Wash.	Wichita, Kansas
			6,600	" "	Topeka, Kansas
			13,900	" "	St. Joseph, Mo.
			3,120	Ontario, Oregon	St. Joseph, Mo.
1-8-59	5057	Fran Fruit&Vege.	21,625	Arlington, Wash.	Okla City, Okla.
			14,784	Mt. Vernon, Wash.	" "
1-6-59	5060	Frozen Vegetables	37,517	Burley, Idaho	Topeka, Kansas
1-6-59	5062	Fran Fruit&Vege.	40,000	Watsonville, Calif.	Kansas City, Kansas
			5,200	Santa Clara, Calif.	Smith Center, Kansas
1-9-59	5070	Frozen Vegetables	36,195	Idaho Falls, Idaho	Little Rock, Ark.
1-14-59	5076	Frozen Vegetables	5,729	Snohomish, Wash.	Kansas City, Mo.
			1,700	Kent, Wash.	Smith Center, Kansas
			8,940	Ontario, Ore.	Kansas City, Kansas
			18,114	" "	Kansas City, Mo.
			2,160	" "	Salina, Kansas
1-14-59	5079	Frozen Vegetables	11,850	Arlington, Wash.	Kansas City, Kansas
			6,600	" "	Des Moines, Iowa
			18,164	" "	St. Joseph, Mo.
1-14-59	5081	Frozen Vegetables	24,407	Hillsboro, Oregon	Ft. Smith, Ark.
			2,600	Woodburn, Oregon	" "
			6,400	Caldwell, Idaho	" "
			6,458	Portland, Oregon	Okla City, Okla.
1-12-59	5083	Frozen Vegetables	40,040	Hollister, Calif.	Dardanelle, Ark.

DATE	PRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
1-19-59	5085	Fran Fruit&Vege.	14,387	Watsonville, Calif.	Kansas City, Mo.
			9,000	Santa Cruz, Calif.	" "
			17,795	Modesto, Calif.	" "
			6,144	Sanger, Calif.	" "
1-14-59	5087	Fran Vege&Berr.	13,802	Modesto, Calif.	Okla City, Okla.
			16,070	Santa Maria, Calif.	" "
			3,175	Watsonville, Calif.	" "
			5,130	Modesto, Calif.	Wichita, Kansas
1-14-59	5090	Frozen Vegetables	17,955	Idaho Falls, Idaho	Kansas City, Kansas
			18,193	Burley, Idaho	Omaha, Nebr.
1-14-59	5092	Fran Vege&Berr.	10,074	Modesto, Calif.	Topeka, Kansas
			6,752	" "	Wichita, Kansas
			4,625	Santa Maria, Calif.	Wichita, Kansas
			3,870	" "	Topeka, Kansas
			6,300	Watsonville, Calif.	Wichita, Kansas
1-14-59	5094	Fran Vege&Berr.	4,909	Modesto, Calif.	Kansas City, Kansas
			3,325	Santa Maria, Calif.	" "
			4,575	Modesto, Calif.	Kansas City, Mo.
			3,600	Santa Maria, Calif.	" "
			5,400	" "	St. Joseph, Mo.
			5,350	Modesto, Calif.	" "
			10,800	Watsonville, Calif.	Kansas City, Mo.
1-14-59	5097	Frozen Berries	2,700	Ft. Smith, Ark.	Little Rock, Ark.
1-26-59	5097	Frozen Vegetables	17,990	Ft. Smith, Ark.	Mobile, Alabama
			10,200	Little Rock, Ark.	Birmingham, Alabama
1-23-59	5101	Frozen Vegetables	21,775	Hopkins, Minn.	Kansas City, Mo.
1-29-59	5104	Frozen Vegetables	17,402	Ontario, Oregon	Davenport, Iowa
			8,265	" "	Waterloo, Iowa
			4,050	" "	Des Moines, Iowa
			4,106	" "	Lauren, Iowa
1-29-59	5104	Frozen Berries	34,138	Benton Harbor, Mich.	Omaha, Nebr.
1-17-59	5106	Frozen Vegetables	45,780	Watsonville, Calif.	Kansas City, Mo.
1-19-59	5109	Frozen Vegetables	41,555	Caldwell, Idaho	Van Buren, Ark.
1-17-59	5110	Frozen Vegetables	38,160	Pendleton, Ore.	Dardanelle, Ark.
1-19-59	5111	Frozen Vegetables	40,040	Hollister, Calif.	Dardanelle, Ark.
1-19-59	5112A	Frozen Fruits	29,500	Traverse City, Mich.	Kansas City, Mo.
			1,600	Beulah, Mich.	" "
1-26-59	5116-1	Frozen Fruits	34,128	Benton Harbor, Mich.	Omaha, Nebr.
1-26-59	5116-2	Frozen Fruits	34,138	Benton Harbor, Mich.	Omaha, Nebr.
1-23-59	5119	Frozen Vegetables	11,318	Ontario, Oregon	Houston, Texas
			9,450	" "	New Orleans, La.
			4,788	" "	Meridan, Miss.
			12,600	" "	Shreveport, La.

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DATE	PRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
1-23-59	5121	Frozen Vegetables	30,600	Fairmont, Minn.	Kansas City, Mo.
1-23-59	5122A	Frozen Fruits	33,000	Brockport, N.Y.	Kansas City, Mo.
1-23-59	5124-1	Frozen Fruits	34,400	Benton Harbor, Mich.	Omaha, Nebr.
1-23-59	5124-2	Frozen Fruits	34,720	Benton Harbor, Mich.	Omaha, Nebr.
1-23-59	5124-3	Frozen Fruits	34,720	Benton Harbor, Mich.	Omaha, Nebr.
1-31-59	5127	Fran Vege&Berr.	6,959	Modesto, Calif.	Des Moines, Iowa
			600	" "	Sioux City, Iowa
			6,930	" "	Omaha, Nebr.
			8,750	Salinas, Calif.	Sioux City, Iowa
			3,500	" "	Smith Center, Kansas
			3,979	Santa Maria, Calif.	Omaha, Nebr.
			375	" "	Sioux City, Iowa
			3,528	" "	Des Moines, Iowa
1-26-59	5128	Fran Vege&Berr.	10,200	Modesto, Calif.	Topeka, Kansas
			8,085	" "	Wichita, Kansas
			8,750	Salinas, Calif.	Topeka, Kansas
			5,400	Santa Maria, Calif.	" "
			3,600	" "	Wichita, Kansas
1-26-59	5129	Frozen Vegetables	38,507	Burley, Idaho	Springfield, Mo.
				Idaho Falls, Idaho	Wichita, Kansas
					Lawrence, Kansas
1-29-59	5131	FranFruBerr&Vege.	18,765	Modesto, Calif.	Kansas City, Mo.
			6,450	Santa Cruz, Calif.	" "
			1,280	Watsonville, Calif.	" "
			3,125	Salinas, Calif.	St. Joseph, Mo.
			12,230	Sanger, Calif.	Kansas City, Mo.
1-26-59	5132	Frozen Vegetables	10,900	Watsonville, Calif.	Tulsa, Okla.
			23,250	Caldwell, Idaho	" "
1-29-59	5141	Frozen Vegetables	7,075	Modesto, Calif.	St. Joseph, Mo.
			5,226	" "	Lawrence, Kansas
			6,375	" "	Kansas City, Mo.
			4,012	" "	Kansas City, Kansas
			6,300	Santa Maria, Calif.	St. Joseph, Mo.
			4,955	" "	Lawrence, Kansas
			3,600	" "	Kansas City, Mo.
			1,200	" "	Kansas City, Kansas
1-29-59	5142	Fran Vege&Berr.	5,925	Modesto, Calif.	Okla City, Okla.
			4,950	Santa Maria, Calif.	" "
			13,563	Salinas, Calif.	" "
			10,500	" "	Liberal, Kansas
			3,300	" "	Dodge City, Kansas
1-31-59	5147	Fran Vege&Berr.	16,520	Albany, Oregon	Kansas City, Mo.
			18,515	Ontario, Oregon	" "
			3,200	" "	Salina, Kansas

DATE	PRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
1-29-59	5150A	Frozen Fruits	25,200	Detroit, Mich.	Omaha, Nebr.
2-6-59	5151	FrznFruBerr&Vege.	2,813	Salem, Oregon	Kansas City, Kansas
			2,800	" "	Kansas City, Mo.
			7,018	" "	Wichita, Kansas
			2,700	Ontario, Oregon	Topeka, Kansas
			23,512	" "	Kansas City, Kansas
2-5-59	5152	Frozen Fruits	20,640	Traverse City, Mich.	Kansas City, Mo.
			9,714	Frankfort, Mich.	" "
1-21-59	5155	Frozen Vegetables	2,700	Oxnard, Calif.	Smith Center, Kansas
			5,100	Santa Clara, Calif.	" "
			40,614	Watsonville, Calif.	Kansas City, Mo.
2-11-59	5168	FrznFruBerr&Vege.	16,335	Salem, Oregon	Kansas City, Mo.
			16,500	Albany, Oregon	" "
			1,600	" "	Smith Center, Kansas
2-11-59	5176	Frozen Vegetables	8,275	Arlington, Wash.	Tulsa, Okla.
			12,450	" "	Okla City, Okla.
			18,575	" "	Wichita, Kansas
2-11-59	5179	Frozen Vegetables	1,440	Kansas City, Kansas	Modesto, Calif.
2-11-59	5179	Frzn Vege&Berr.	12,721	Modesto, Calif.	Wichita, Kansas
			5,618	San Jose, Calif.	" "
			3,975	" "	Smith Center, Kansas
			3,133	Salinas, Calif.	Wichita, Kansas
			8,557	Santa Maria, Calif.	" "
2-5-59	5182	Frozen Vegetables	5,100	Fairmont, Minn.	Kansas City, Kansas
			17,267	" "	Kansas City, Mo.
			9,113	" "	St. Joseph, Mo.
2-17-59	5183B	Frzn Vege&Berr.	18,103	Modesto, Calif.	Kansas City, Mo.
			4,250	Santa Clara, Calif.	Smith Center, Kansas
			4,375	Salinas, Calif.	St. Joseph, Mo.
			4,500	Santa Cruz, Calif.	Kansas City, Mo.
2-11-59	5184	Frzn Vege&Berr.	11,646	Modesto, Calif.	Okla City, Okla.
			10,625	Salinas, Calif.	" "
			12,652	Santa Maria, Calif.	" "
2-17-59	5185	Frozen Vegetables	20,780	Ontario, Oregon	Davenport, Iowa
			12,275	" "	Burlington, Iowa
2-11-59	5187	Frozen Vegetables	2,775	Modesto, Calif.	Kansas City, Mo.
			7,657	" "	Kansas City, Kansas
			7,491	" "	Topeka, Kansas
			1,050	San Jose, Calif.	Kansas City, Kansas
			3,150	Santa Maria, Calif.	Kansas City, Mo.
			2,652	" "	Kansas City, Kansas
			8,100	" "	Topeka, Kansas
2-11-59	5190	FrznFruBerr&Vege.	41,745	Watsonville, Calif.	Kansas City, Mo.
			3,687	" "	Topeka, Kansas
			640	Modesto, Calif.	" "
			3,560	Sanger, Calif.	Kansas City, Mo.

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DATE	PRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
2-17-59	5191	Frozen Vegetables	35,045	Ontario, Oregon	Des Moines, Iowa
2-23-59	5194	FrznFruBerr&Vege.	4,050	Tacoma, Wash.	Kansas City, Mo.
			1,700	Kent, Wash.	Smith Center, Kansas
			900	Puyallup, Wash.	" "
			2,200	Ridgefield, Wash.	Kansas City, Mo.
			3,200	Zillah, Wash.	" "
			20,499	Ontario, Oregon	" "
2-18-59	5208	Frozen Vegetables	31,800	Ft. Smith, Ark.	Detroit, Mich.
2-18-59	5208	Frozen Fruits	31,488	Benton Harbor, Mich.	Omaha, Nebr.
2-23-59	5213	Frozen Vegetables	30,238	Modesto, Calif.	Kansas City, Mo.
			3,600	Santa Clara, Calif.	St. Joseph, Mo.
2-24-59	5217C	Frozen Fruits	11,750	Traverse City, Mich.	Hutchinson, Kansas
			20,138	" "	Wichita, Kansas
2-21-59	5218	Frzn Vege&Berr.	17,364	Modesto, Calif.	Okla City, Okla.
			12,217	Santa Maria, Calif.	" "
			2,250	San Jose, Calif.	" "
			3,175	Watsonville, Calif.	" "
2-23-59	5222	Frozen Fru&Berr.	22,640	Traverse City, Mich.	Kansas City, Mo.
			6,600	Frankfort, Mich.	" "
			1,500	Decatur, Mich.	" "
2-27-59	5223	Frzn Fru&Vege.	9,040	Stockton, Calif.	Kansas City, Mo.
			20,562	Watsonville, Calif.	" "
			9,120	Sanger, Calif.	" "
2-26-59	5224	Frozen Vegetables	31,590	Santa Cruz, Calif.	Kansas City, Mo.
			10,200	Watsonville, Calif.	" "
2-24-59	5226	Frozen Vegetables	17,500	Stanwood, Wash.	Okla City, Okla.
			4,385	" "	Kansas City, Kansas
			9,350	" "	St. Joseph, Mo.
			2,512	Ontario, Oregon	" "
2-25-59	5231	Frozen Vegetables	38,125	Mt. Vernon, Wash.	Van Buren, Ark.
2-24-59	5232	Frozen Vegetables	38,125	Caldwell, Idaho	Van Buren, Ark.
2-24-59	5234	FrznFruBerr&Vege.	5,537	Modesto, Calif.	Kansas City, Kansas
			2,130	" "	Kansas City, Mo.
			2,037	Santa Maria, Calif.	Kansas City, Kansas
			3,600	" "	Kansas City, Mo.
			18,000	Watsonville, Calif.	Kansas City, Kansas
			880	Los Angeles, Calif.	" "
2-24-59	5235	Frozen Vegetables	38,125	Caldwell, Idaho	Van Buren, Ark.
3-16-59	5239	Frzn Vege&Berr.	2,040	Salem, Oregon	Kansas City, Mo.
			3,708	" "	Wichita, Kansas
			5,400	" "	Topeka, Kansas
			5,400	" "	Kansas City, Kansas
			8,210	Ontario, Oregon	Kansas City, Mo.
			4,160	" "	Topeka, Kansas

DATE	PRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
3-10-59	5252	Fran Fish&Berr.	11,253	Astoria, Ore.	Kansas City, Mo.
			25,735	Salem, Oregon	" "
3-7-59	5254	Frozen Vegetables	10,400	Hollister, Calif.	Dardanelle, Ark.
			31,200	" "	Clarksville, Ark.
3-14-59	5264	Fran Vege&Berr.	10,098	Watsonville, Calif.	Tulsa, Okla.
			21,760	Caldwell, Idaho	Albuquerque, N.M.
			15,360	" "	Tulsa, Okla.
3-9-59	5265	Frozen Vegetables	26,160	Ft. Smith, Ark.	Detroit, Mich.
3-14-59	5266	Frozen Vegetables	28,034	Ontario, Oregon	Kansas City, Mo.
			9,939	" "	Kansas City, Kansas
3-18-59	5269	Fran Vege&Berr.	3,769	Modesto, Calif.	Des Moines, Iowa
			6,275	" "	St. Joseph, Mo.
			5,910	" "	Kansas City, Mo.
			2,850	Salinas, Calif.	Des Moines, Iowa
			4,222	Santa Maria, Calif.	" "
			4,500	" "	St. Joseph, Mo.
			4,392	" "	Kansas City, Mo.
3-14-59	5270	Fran Vege&Berr.	1,800	Kent, Wash.	Smith Center, Kansas
			16,200	" "	Kansas City, Mo.
			9,600	Everett, Wash.	" "
			5,184	Salem, Oregon	Wichita, Kansas
			5,400	" "	Kansas City, Mo.
			900	Puyallup, Wash.	" "
			2,025	Ontario, Oregon	" "
3-10-59	5272	Fran FruitVege.	13,866	Watsonville, Calif.	Kansas City, Mo.
			6,700	Modesto, Calif.	" "
			19,456	Sanger, Calif.	" "
3-20-59	5277	Frozen Vegetables	9,989	Ontario, Oregon	Waukegon, Ill.
			9,340	" "	Burlington, Iowa
			5,554	" "	Des Moines, Iowa
			10,088	" "	Lincoln, Nebr.
3-23-59	5283	Frozen Vegetables	13,600	Arlington, Wash.	St. Joseph, Mo.
			4,950	" "	Kansas City, Kansas
			12,750	Weston, Oregon	Smith Center, Kansas
			4,800	Burley, Idaho	St. Joseph, Mo.
3-18-59	5285	Fran Vege&Berr.	720	Modesto, Calif.	St. Joseph, Mo.
			3,220	" "	Kansas City, Mo.
			9,177	Santa Clara, Calif.	Smith Center, Kansas
			10,900	Watsonville, Calif.	" "
			2,050	" "	Kansas City, Mo.
			1,600	Oxnard, Calif.	Smith Center, Kansas
			12,038	Salinas, Calif.	St. Joseph, Mo.
3-18-59	5291	Frozen Fruits	23,932	Traverse City, Mich.	Okla City, Okla.
			6,560	Beulah, Mich.	" "
3-23-59	5294	Frozen Vegetables	27,000	Watsonville, Calif.	Knoxville, Tenn.
			3,600	" "	Shreveport, La.
			3,600	" "	Memphis, Tenn.

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DATE	FRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
3-25-59	5293	Frozen Fruits	5,625	Muskegon, Mich.	Smith Center, Kansas
			14,600	Traverse City, Mich.	Kansas City, Mo.
			11,800	Frankfort, Mich.	Smith Center, Kansas
3-24-59	5298	Frozen Vegetables	8,745	Stanwood, Wash.	Springfield, Mo.
			7,900	" "	Tulsa, Okla.
			16,423	Burley, Idaho	Okla City, Okla.
3-24-59	5299	Frozen Berries	9,600	Everett, Wash.	Kansas City, Mo.
			28,514	Salem, Oregon	" "
3-20-59	5302	FrenVegeBerr&Fish	7,987	Modesto, Calif.	Kansas City, Mo.
			15,572	Sanger, Calif.	" "
			16,920	Phoenix, Arizona	" "
3-25-59	5304	Frozen Vegetables	17,280	Ft. Smith, Ark.	Birmingham, Ala.
			6,680	" "	Nashville, Tenn.
3-31-59	5306	Frozen Vegetables	26,710	Fairmont, Minn.	St. Joseph, Mo.
			2,600	" "	Kansas City, Kansas
3-23-59	5308	Frozen Vegetables	40,439	Watsonville, Calif.	Kansas City, Mo.
3-20-59	5313	Frozen Vegetables	34,450	Fairmont, Minn.	Kansas City, Kansas
3-31-59	5326	Frozen Vegetables	39,658	Watsonville, Calif.	Kansas City, Mo.
4-6-59	5328	Fren FruiVege.	5,100	Modesto, Calif.	Kansas City, Kansas
			9,300	" "	Topeka, Kansas
			5,400	" "	St. Joseph, Mo.
			7,900	Salinas, Calif.	" "
			6,150	Santa Maria, Calif.	Kansas City, Kansas
			3,150	" "	Topeka, Kansas
3-31-59	5331	Fren FruitBerr.	23,200	Traverse City, Mich.	Kansas City, Mo.
			1,280	Frankfort, Mich.	" "
			5,305	Decatur, Mich.	" "
4-6-59	5334	Frozen Vegetables	38,400	Nampa, Idaho	Dodge City, Kansas
4-6-59	5336	Fren VegeBerr.	3,765	Salem, Oregon	Topeka, Kansas
			3,875	" "	Wichita, Kansas
			28,608	Ontario, Oregon	Kansas City, Mo.
4-6-59	5339	Frozen Vegetables	8,235	Ontario, Oregon	Tulsa, Okla.
			14,925	" "	Okla City, Okla.
			12,090	" "	Wichita, Kansas
			3,900	" "	Hutchinson, Kansas
4-6-59	5343	Frozen Vegetables	8,700	Modesto, Calif.	Kansas City, Kansas
			8,400	" "	Topeka, Kansas
			14,400	" "	Wichita, Kansas
			3,150	Santa Maria, Calif.	Kansas City, Kansas
			3,600	" "	Topeka, Kansas
4-6-59	5344	FrenFruBerr&Vege.	34,350	Modesto, Calif.	Ft. Smith, Ark.
				San Jose, Calif.	Okla City, Okla.
				Santa Maria, Calif.	Wichita, Kansas
				Paramount, Calif.	

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DATE	PRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
4-6-59	5346	Frzn Vege&Berr.	6,226	Portland, Oregon	Tulsa, Okla.
			6,810	Stayton, Oregon	" "
			5,483	Weston, Oregon	" "
			16,850	Caldwell, Idaho	" "
4-6-59	5352	Frozen Fruits	10,800	Kansas City, Kansas	Albuquerque, N. M.
4-7-59	5352	Frzn Vege&Berr.	7,100	Modesto, Calif.	St. Joseph, Mo.
			6,022	" "	Wichita, Kansas
			7,200	Salinas, Calif.	St. Joseph, Mo.
			6,600	Fresno, Calif.	Wichita, Kansas
			2,475	Santa Maria, Calif.	" "
			4,500	" "	St. Joseph, Mo.
4-7-59	5359	Frzn Fru&Vege.	8,342	Modesto, Calif.	Okla City, Okla.
			24,564	Watsonville, Calif.	" "
			10,140	Sanger, Calif.	" "
4-6-59	5361	Frzn Fru&Vege.	14,809	Modesto, Calif.	Kansas City, Mo.
			18,298	Watsonville, Calif.	" "
			5,900	Sanger, Calif.	" "
4-10-59	5372	Frozen Vegetables	22,860	Ft. Smith, Ark.	Houston, Texas
			6,300	Dallas, Texas	" "
4-11-59	5380	Frozen Vegetables	7,117	Modesto, Calif.	Wichita, Kansas
			26,900	Sanger, Calif.	" "
4-10-59	5389	Frzn Vege&Berr.	6,300	Woodburn, Oregon	Kansas City, Mo.
			18,040	Ontario, Oregon	Kansas City, Mo.
			2,020	" "	Kansas City, Kansas
			5,600	" "	Topeka, Kansas
4-17-59	5393	FrznFruBerr&Vege.	3,924	Santa Clara, Calif.	St. Joseph, Mo.
			7,200	" "	Smith Center, Kansas
			6,480	Watsonville, Calif.	Kansas City, Kansas
			4,475	Fresno, Calif.	Smith Center, Kansas
			1,260	" "	Kansas City, Kansas
			6,232	Sanger, Calif.	Kansas City, Mo.
4-15-59	5395	Frzn Fru&Vege.	35,220	Sanger, Calif.	Kansas City, Kansas
			4,684	Los Angeles, Calif.	" "
4-15-59	5395	Frozen Vegetables	30,600	Fairmont, Minn.	Okla City, Okla.
4-17-59	5397	Frzn Vege&Berr.	20,905	Salem, Oregon	Kansas City, Mo.
			18,678	Albany, Oregon	" "
4-14-59	5398	Frzn Fru&Berr.	14,380	Watsonville, Calif.	Tulsa, Okla.
4-11-59	5399	Frozen Fruits	14,880	Traverse City, Mich.	Kansas City, Mo.
			14,720	Frankfort, Mich.	" "
			2,700	Muskegon, Mich.	" "

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DATE	PRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
4-21-59	5402	~~Fran~~Fru&BerrVeget Fish	5,689	Seattle, Wash.	Kansas City, Mo.
			6,435	Tacoma, Wash.	" "
			3,375	Twin Falls, Idaho	" "
			4,800	Everett, Wash.	St. Joseph, Mo.
			7,174	Snohomish, Wash.	Kansas City, Mo.
			2,700	Kent, Wash.	Smith Center, Kansas
			1,600	Olympia, Wash.	" "
			2,560	Zillah, Wash.	St. Joseph, Mo.
4-15-59	5403	Frozen Vegetables	37,825	Ontario, Oregon	Kansas City, Mo.
4-15-59	5403	Fran Veget&Fish	7,911	Kansas City, Mo.	Springfield, Mo.
4-22-59	5413	Frozen Vegetables	30,590	Ft. Smith, Ark.	Philadelphia, Pa.
4-21-59	5414	Fran Veget&Berr.	7,050	Modesto, Calif.	St. Joseph, Mo.
			17,980	" "	Kansas City, Kansas
			3,300	" "	Kansas City, Mo.
			5,400	Salinas, Calif.	St. Joseph, Mo.
4-21-59	5420	Fran Veget&Berr.	17,720	Portland, Oregon	Tulsa, Okla.
			17,760	Nampa, Idaho	" "
			3,060	Weston, Oregon	" "
4-21-59	5422	Frozen Vegetables	40,055	Watsonville, Calif.	Kansas City, Mo.
4-23-59	5427	Frozen Vegetables	18,675	Ontario, Oregon	Wichita, Kansas
			19,324	" "	Hutchinson, Kansas
4-22-59	5429	Frozen Vegetables	16,875	Modesto, Calif.	Topeka, Kansas
			6,275	" "	Tulsa, Okla.
			1,500	" "	Wichita, Kansas
			2,520	" "	Okla City, Okla.
			8,100	Sanger, Calif.	Wichita, Kansas
4-21-59	5431	Fran Veget&Berr.	33,836	Modesto, Calif.	Kansas City, Mo.
			3,337	Salinas, Calif.	Smith Center, Kansas
4-29-59	5436	Fran Fru&Berr.	24,960	Traverse City, Mich.	Kansas City, Mo.
			2,650	Lawrence, Mich.	" "
			3,200	" "	" "
4-24-59	5439	Frozen Vegetables	22,902	Ontario, Oregon	Dallas, Texas
			8,600	" "	Lubbock, Texas
			6,285	" "	Amarillo, Texas
4-29-59	5443	Frozen Vegetables	19,345	Ontario, Oregon	Kansas City, Kansas
			15,975	" "	Wichita, Kansas
			4,200	Nampa, Idaho	Kansas City, Kansas
5-6-59	5444	Fran Veget&Berr.	30,406	Fairmont, Minn.	Kansas City, Mo.
4-25-59	5448	Frozen Vegetables	8,425	Ontario, Oregon	Tulsa, Okla.
			29,153	" "	Okla City, Okla.
4-27-59	5453	Frozen Vegetables	8,400	Ontario, Oregon	Wichita, Kansas
			21,771	" "	Denver, Colo.
			8,600	Nampa, Idaho	Casper, Wyoming

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DATE	PRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
4-28-59	5462	Frozen Vegetables	39,627	Ontario, Oregon	Kansas City, Mo.
4-28-59	5462	Frozen Vegetables	2,360	Kansas City, Mo.	Springfield, Mo.
5-8-59	5467	Fran VegetFish.	12,032	Seattle, Wash.	Kansas City, Kansas
			15,300	Arlington, Wash.	St. Joseph, Mo.
			13,033	" "	Kansas City, Kansas
5-5-59	5473	Frozen Vegetables	35,910	Arlington, Wash.	Dardanelle, Ark.
5-6-59	5476	Fran VegetBerr.	12,845	Ontario, Oregon	Kansas City, Mo.
			12,623	" "	Kansas City, Kansas
			2,350	" "	Smith Center, Kansas
			11,982	Salem, Oregon	Kansas City, Mo.
			1,600	Albany, Oregon	Smith Center, Kansas
5-6-59	5486	Frozen Vegetables	18,600	Ft. Smith, Ark.	Detroit, Mich.
			10,800	" "	Chicago, Ill.
5-5-59	5488	Fran VegetBerr.	18,860	Burlington, Wash.	Kansas City, Mo.
			11,200	Everett, Wash.	" "
			1,800	Kent, Wash.	Smith Center, Kansas
			1,600	Zillah, Wash.	" "
5-5-59	5493	FranFruBerrVeget Fish	10,125	Modesto, Calif.	Kansas City, Mo.
			7,525	" "	St. Joseph, Mo.
			1,200	" "	Kansas City, Kansas
			8,750	Salinas, Calif.	St. Joseph, Mo.
			5,250	Turlock, Calif.	Kansas City, Kansas
5-8-59	5501	Frozen Vegetables	27,982	Ontario, Oregon	Kansas City, Mo.
			12,000	" "	Dodge City, Kansas
5-11-59	5503	Frozen Vegetables	21,424	Salinas, Calif.	Dardanelle, Ark.
			20,176	Hollister, Calif.	" "
5-13-59	5506	Frozen Vegetables	12,500	Ontario, Oregon	Wichita, Kansas
			11,664	" "	Hutchinson, Kansas
			10,435	" "	Denver, Colo.
5-14-59	5519	FranFruBerr&Vege.	6,120	Watsonville, Calif.	Kansas City, Mo.
			11,960	Sanger, Calif.	" "
			9,025	Modesto, Calif.	" "
			3,500	Salinas, Calif.	" "
			6,090	Santa Clara, Calif.	" "
5-11-59	5525A	Fran Fru&Berr.	23,840	Traverse City, Mich.	Kansas City, Mo.
			4,800	Frankfort, Mich.	" "
			3,200	Decatur, Mich.	" "
5-16-59	5526	Frozen Vegetables	8,450	Ontario, Oregon	Dallas, Texas
			11,544	" "	Ft. Worth, Texas
			13,045	" "	Lubbock, Texas
5-19-59	5533	FranFruBerr&Vege.	3,962	Modesto, Calif.	Kansas City, Mo.
			13,580	Watsonville, Calif.	" "
			13,500	" "	Smith Center, Kansas
			10,900	Salinas, Calif.	St. Joseph, Mo.

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DATE	PRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
5-19-59	5534	Frozen Vegetables	34,650	Idaho Falls, Idaho	St. Louis, Mo.
5-19-59	5536	FrznFruBerr&Vegs.	2,688	Everett, Wash.	Kansas City, Mo.
			4,800	Seattle, Wash.	St. Joseph, Mo.
			10,425	Salem, Oregon	Kansas City, Mo.
			13,820	Ontario, Oregon	Kansas City, Mo.
			4,800	" "	Salina, Kansas
5-20-59	5537	Frozen Vegetables	34,000	Fairmont, Minn.	Topeka, Kansas
5-14-59	5543	Frozen Berries	7,600	Ft. Smith, Ark.	Waco, Texas
			23,400	" "	Dallas, Texas
5-16-59	5554	Frozen Vegetables	34,000	Fairmont, Minn.	Topeka, Kansas
5-18-59	5554A	Frozen Vegetables	6,750	Ontario, Oregon	Chicago, Ill.
			8,000	" "	Wheaton, Ill.
			5,400	" "	Milan, Ill.
			8,475	" "	Davenport, Iowa
			7,202	" "	Des Moines, Iowa
5-19-59	5560A	Frozen Berries	39,360	Van Buren, Ark.	Houston, Texas
5-20-59	5560B	Frozen Vegetables	34,255	Fairmont, Minn.	Okla City, Okla.
5-27-59	5563	Frozen Vegetables	23,580	Ontario, Oregon	Okla City, Okla.
			3,450	" "	Tulsa, Okla.
			10,420	" "	Wichita, Kansas
5-26-59	5565	Frzn Vege&Berr.	3,192	Modesto, Calif.	Sioux City, Iowa
			14,975	" "	Omaha, Nebr.
			16,000	San Martin, Calif.	Sioux City, Iowa
			900	" "	Omaha, Nebr.
5-23-59	5568	Frozen Vegetables	34,000	Fairmont, Minn.	Wichita, Kansas
5-27-59	5577	Frzn FruitBerr.	22,400	Traverse City, Mich.	Kansas City, Mo.
			6,400	Frankfort, Mich.	" "
			2,700	Decatur, Mich.	" "
5-28-59	5580	Frozen Vegetables	15,875	Idaho Falls, Idaho	Springfield, Mo.
			20,859	" "	Lawrence, Kansas
5-28-59	5583	Frozen Vegetables	34,000	Fairmont, Minn.	Wichita, Kansas
5-30-59	5586	Frozen Vegetables	29,208	Ontario, Oregon	Kansas City, Mo.
			4,800	" "	Salina, Kansas
5-30-59	5593	FrznVegeBerr&Fish	7,500	Puyallup, Wash.	Kansas City, Mo.
			6,400	Ridgefield, Wash.	" "
			2,700	Tacoma, Wash.	" "
			4,440	Twin Falls, Idaho	" "
			9,123	Ontario, Oregon	Kansas City, Kansas
			4,050	" "	Topeka, Kansas
6-4-59	5597	Frozen Vegetables	14,639	Ontario, Oregon	Decatur, Ill.
			17,550	" "	Illiopolis, Ill.
			3,376	" "	Springfield, Ill.

DATE	PRO.	COMMODITY	WEIGHT	ORIGIN	DESTINATION
6-3-59	5611	Frozen Fruit	31,488	Hastings, Nebr.	Modesto, Calif.
6-19-59	5614	Frozen Vegetables	27,220	Fairmont, Minn.	St. Joseph, Mo.
6-9-59	5617	Fran Fru&Vege.	17,236	Modesto, Calif.	Kansas City, Mo.
			5,669	" "	Amarillo, Texas
			9,243	Watsonville, Calif.	Kansas City, Mo.
			5,600	Mt. View, Calif.	" "
6-9-59	5618	FranFruBerr&Vege.	6,969	Modesto, Calif.	Wichita, Kansas
			9,455	" "	Pittsburg, Kansas
			12,406	" "	Tulsa, Okla.
			9,000	San Jose, Calif.	Wichita, Kansas
6-9-59	5627	Fran Fru&Vege.	21,960	Modesto, Calif.	Kansas City, Mo.
			8,350	Stockton, Calif.	" "
			3,100	Sanger, Calif.	" "
			4,384	Santa Clara, Calif.	Smith Center, Kansas
6-9-59	5636	Frozen Fruit	32,000	Erie, Pa.	Smith Center, Kansas
6-16-59	5637	Fran Vege&Berr.	8,500	Kent, Wash.	Kansas City, Kansas
			5,950	Ellensburg, Wash.	Smith Center, Kansas
			1,600	Zillah, Wash.	" "
			800	Albany, Oregon	" "
			12,375	Salem, Oregon	Kansas City, Kansas
			4,050	Ontario, Oregon	Topeka, Kansas
			4,461	" "	Smith Center, Kansas
6-19-59	5643	Frozen Vegetables	10,213	Ontario, Oregon	Houston, Texas
			7,836	" "	Dallas, Texas
			8,100	" "	Ft. Worth, Texas
			5,400	" "	Lubbock, Texas
			6,600	" "	Amarillo, Texas
6-16-59	5644	Frozen Berries	10,300	Puyallup, Wash.	Okla City, Okla.
			6,600	Vancouver, Wash.	" "
			9,600	Portland, Ore.	" "
			6,656	Salem, Ore.	" "
6-16-59	5645	Frozen Vegetables	33,300	Arlington, Wash.	Kansas City, Kansas
6-16-59	5653	Frozen Vegetables	3,416	Ontario, Oregon	Kansas City, Mo.
			32,056	" "	Kansas City, Kansas
			1,040	Nampa, Idaho	Kansas City, Mo.
6-18-59	5667B	Frozen Fruit	32,000	Chicago, Ill.	Kansas City, Mo.
6-22-59	5675	Frozen Vegetables	16,000	Nampa, Idaho	Springfield, Mo.
			19,228	" "	Pittsburg, Kansas
6-19-59	5676	FranVegeBerr&Fish	25,012	Ontario, Oregon	Kansas City, Mo.
			7,976	Denver, Colo.	" "
			3,438	Twin Falls, Idaho	" "
6-24-59	5677	Frozen Vegetables	24,290	Ontario, Oregon	Houston, Texas
			8,830	" "	El Paso, Texas
			5,280	" "	Albuquerque, N.M.

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DATE	PRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
6-26-59	5679	Frozen Berries	32,000	Searcy, Ark.	Pittsburg, Pa.
6-26-59	5679	Fran FrukBerr.	14,675	Traverse City, Mich.	Kansas City, Mo.
			9,632	Frankfort, Mich.	" "
			2,200	Lawrence, Mich.	" "
6-27-59	5698	Frozen Vegetables	12,728	Ontario, Oregon	Tulsa, Okla.
			26,704	" "	Okla City, Okla.
6-27-59	5698	Frozen Vegetables	1,174	Okla City, Okla.	Tulsa, Okla.
6-30-59	5705	Fran FrukVege.	33,237	Portland, Oregon	Nashville, Tenn.
6-30-59	5709	FranFruBerr&Vege.	32,247	Modesto, Calif.	Kansas City, Mo.
			5,760	Sanger, Calif.	" "
6-30-59	5710	FranFruBerr&Vege.	16,025	Modesto, Calif.	St. Joseph, Mo.
			10,649	" "	Topeka, Kansas
			7,884	Salinas, Calif.	St. Joseph, Mo.
7-3-59	5723	FranVegeBerr&Fish	20,745	Seattle, Wash.	Tulsa, Okla.
			2,600	" "	Amarillo, Texas
			4,800	Snohomish, Wash.	Okla City, Okla.
			6,630	Nampa, Idaho	" "
7-6-59	5724	Fran FrukBerr.	5,600	Tacoma, Wash.	Kansas City, Mo.
			30,075	Salem, Oregon	" "
7-6-59	5725	Frozen Berries	29,766	Salem, Oregon	Kansas City, Mo.
			2,454	" "	Wichita, Kansas
7-6-59	5726	Frozen Vegetables	36,310	Watsonville, Calif.	Kansas City, Mo.
7-7-59	5728	Fran Vege&Berr.	8,000	Ridgefield, Wash.	St. Joseph, Mo.
			17,744	Ontario, Oregon	Kansas City, Mo.
			4,050	" "	Kansas City, Kansas
7-6-59	5729	Frozen Vegetables	14,605	Ontario, Oregon	Dallas, Texas
			10,125	" "	Ft. Worth, Texas
			9,060	" "	Lubbock, Texas
			6,600	" "	Amarillo, Texas
7-8-59	5735	Fran FrukVege.	28,066	Portland, Oregon	Okla City, Okla.
			1,750	Hillsboro, Oregon	" "
7-7-59	5736	Frozen Vegetables	30,690	Caldwell, Idaho	Dardanelle, Ark.
			2,912	Burley, Idaho	" "
7-7-59	5737	Fran FrukVege.	1,798	Modesto, Calif.	Okla City, Okla.
			2,370	Stockton, Calif.	" "
			12,575	Watsonville, Calif.	" "
			9,972	Santa Cruz, Calif.	Kansas City, Mo.
			2,225	Sanger, Calif.	Okla City, Okla.
7-7-59	5738	Frozen Fruits	31,950	Hillsboro, Oregon	St. Louis, Mo.
7-6-59	5739	Frozen Berries	XXX	Arlington, Wash.	St. Joseph, Mo.

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DATE	PRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
7-7-59	5762	Frzn FruitVege.	22,843	Hillsboro, Oregon	Dallas, Texas
			6,900	Woodburn, Oregon	" "
7-13-59	5757	Frozen Vegetables	60,000	Nampa, Idaho	Tulsa, Okla.
7-17-59	5759	Frozen Vegetables	8,993	Ontario, Oregon	Denver, Colo.
			4,260	" "	Wichita, Kansas
			7,839	" "	Denver, Colo.
			7,875	" "	Kansas City, Kansas
			20,427	" "	Kansas City, Mo.
7-16-59	5761	Frozen Vegetables	4,800	Nampa, Idaho	Salina, Kansas
7-16-59	5763	Frozen Fruits	32,000	Decatur, Mich.	Smith Center, Kansas
7-16-59	5775B	Frzn FruitBerr.	13,130	Traverse City, Mich.	Kansas City, Mo.
			6,400	Frankfort, Mich.	" "
			1,650	Decatur, Mich.	" "
			1,545	Lawrence, Mich.	" "
			1,600	Eau Claire, Mich.	" "
			5,200	Burlington, Iowa	St. Joseph, Mo.
7-23-59	5782A	Frozen Vegetables	23,100	Ft. Smith, Ark.	Philadelphia, Pa.
			6,300	" "	Baltimore, Md.
7-25-59	5787	Frozen Vegetables	6,400	Ontario, Oregon	Amarillo, Texas
			3,900	" "	Albuquerque, N.M.
			13,108	" "	Denver, Colo.
			12,129	" "	Casper, Wyoming
7-29-59	5788B	Frzn FruitBerr.	20,148	Traverse City, Mich.	Okla City, Okla.
			9,260	Frankfort, Mich.	" "
			2,200	Lawrence, Mich.	Kansas City, Mo.
7-28-59	5789	Frzn FruitBerr.	31,003	Salem, Oregon	Kansas City, Mo.
			10,800	" "	Wichita, Kansas
7-25-59	5798	Frzn FruitBerr.	21,600	San Jose, Calif.	Carthage, Mo.
			800	Watsonville, Calif.	Topeka, Kansas
			8,750	Salinas, Calif.	Kansas City, Mo.
8-5-59	5802A	Frozen Vegetables	6,400	Ft. Smith, Ark.	Montgomery, Ala.
			10,512	" "	Nashville, Tenn.
			13,425	" "	Birmingham, Ala.
7-30-59	5807A	Frzn FruitBerr.	28,760	Traverse City, Mich.	Kansas City, Mo.
			2,190	Lawrence, Mich.	" "
8-3-59	5808	FrznFruitBerr&Vege.	23,065	Salem, Oregon	Kansas City, Mo.
			5,400	" "	Topeka, Kansas
			780	" "	Wichita, Kansas
			10,135	Ontario, Oregon	Hutchinson, Kansas
8-3-59	5810	Frzn VegetFish	28,462	Seattle, Wash.	Kansas City, Mo.
			1,800	Kent, Wash.	Smith Center, Kansas
			3,200	Zillah, Wash.	" "

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DATE	PRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
8-6-59	5813	Frozen Vegetables	35,210	Ontario, Oregon	Chicago, Ill.
8-3-59	5814	Fran VegetBerr.	2,860	Tacoma, Wash.	Kansas City, Mo.
			14,822	Ontario, Oregon	" "
			15,440	" "	Kansas City, Kansas
			1,654	" "	Denver, Colo.
8-5-59	5814A	Frozen Vegetables	8,973	Ontario, Oregon	Dallas, Texas
			4,160	" "	Lubbock, Texas
			1,040	" "	Amarillo, Texas
			10,800	Boise, Idaho	Dallas, Texas
			5,400	" "	Ft. Worth, Texas
			5,400	" "	Lubbock, Texas
			4,050	" "	Amarillo, Texas
8-7-59	5815	Fran FrukVege.	21,628	Hillsboro, Oregon	Nashville, Tenn.
			10,720	Nampa, Idaho	" "
8-7-59	5815	Frozen Vegetables	10,528	Memphis, Tenn.	Union, Mo.
8-3-59	5818	Fran FrukVege.	17,708	Watsonville, Calif.	Kansas City, Mo.
			3,675	" "	Topeka, Kansas
			4,125	Modesto, Calif.	Kansas City, Mo.
			1,675	" "	Topeka, Kansas
			13,996	Sanger, Calif.	Kansas City, Mo.
8-12-59	5823	Fran VegetBerr.	20,847	Portland, Oregon	Tulsa, Okla.
			4,463	Weston, Oregon	" "
			15,080	Nampa, Idaho	" "
8-5-59	5825A	Frozen Vegetables	34,000	Ontario, Oregon	Kansas City, Mo.
8-7-59	5827	Fran FrukVege.	16,073	Sanger, Calif.	Davenport, Iowa
			8,230	" "	Burlington, Iowa
			11,980	" "	Des Moines, Iowa
7-29-59	5829	Fran VegetBerr.	21,920	Ft. Smith, Ark.	Kansas City, Mo.
8-4-59	5830	Frozen Vegetables	38,300	Watsonville, Calif.	Kansas City, Mo.
8-7-59	5834	Frozen Fruits	34,398	Sanger, Calif.	San Antonio, Texas
			16,068	" "	El Paso, Texas
8-5-59	5835A	Fran FrukBerr.	23,800	Traverse City, Mich.	Kansas City, Mo.
			6,600	Lawrence, Mich.	" "
8-7-59	5837	Frozen Vegetables	6,150	Ontario, Oregon	Tulsa, Okla.
			15,180	" "	Okla City, Okla.
			11,498	" "	Wichita, Kansas
			4,764	" "	Denver, Colo.
8-25-59	5838	FranFruBerrVege.	17,720	Arlington, Wash.	Okla City, Okla.
			3,690	Puyallup, Wash.	" "
			5,700	" "	Wichita, Kansas
			3,250	" "	Kansas City, Mo.
			10,638	Sumner, Wash.	Wichita, Kansas

DATE	PRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
8-11-59	5846	Fran Vege&Berr.	29,514	Salem, Oregon	Kansas City, Mo.
			1,800	Kent, Wash.	Smith Center, Kansas
			2,400	Zillah, Wash.	" "
8-13-59	5848	Frozen Vegetables	33,072	Ontario, Oregon	Chicago, Ill.
8-13-59	5848	Fran Fruk&Berr.	26,990	Traverse City, Mich.	Kansas City, Mo.
			2,700	Lawrence, Mich.	" "
8-14-59	5862	Frozen Vegetables	7,287	Jackson, Tenn.	San Francisco, Calif.
8-15-59	5864	Frozen Vegetables	20,630	Ontario, Oregon	Dallas, Texas
			13,260	" "	Amarillo, Texas
8-19-59	5875	Frozen Vegetables	24,706	Ontario, Oregon	Kansas City, Mo.
			11,145	" "	Kansas City, Kansas
8-20-59	5878	Frozen Fruits	30,760	Sanger, Calif.	Kansas City, Mo.
			1,600	" "	Smith Center, Kansas
			12,800	Watsonville, Calif.	" "
8-19-59	5881	Frozen Vegetables	11,189	Modesto, Calif.	Ft. Worth, Texas
			26,231	" "	San Antonio, Texas
8-31-59	5886	Fran Vege&Berr.	30,765	Arlington, Wash.	Phoenix, Arizona
			7,020	Ontario, Oregon	" "
8-17-59	5887	Frozen Vegetables	29,798	Memphis, Tenn.	Union, Mo.
8-22-59	5891	Frozen Vegetables	21,571	Weston, Oregon	Dardanelle, Ark.
8-25-59	5892	Frozen Vegetables	8,800	Ontario, Oregon	Detroit, Mich.
			9,600	" "	Wayne, Mich.
			15,800	" "	Waukegon, Ill.
8-25-59	5892	Frozen Fruits	32,660	Frankfort, Mich.	Kansas City, Mo.
8-24-59	5900	Fran Fruk&Vege.	7,900	Santa Clara, Calif.	St. Joseph, Mo.
			1,800	" "	Smith Center, Kansas
8-25-59	5901	Fran Vege&Berr.	25,200	Modesto, Calif.	Wichita, Kansas
			8,750	Salinas, Calif.	Liberal, Kansas
			8,375	Watsonville, Calif.	Dodge City, Kansas
8-27-59	5903	Fran Fruk&Vege.	25,171	Portland, Oregon	Nashville, Tenn.
			4,845	Nampa, Idaho	" "
8-25-59	5911	Frozen Vegetables	32,300	Fairmont, Minn.	St. Joseph, Mo.
8-29-59	5912	Frozen Vegetables	20,141	Modesto, Calif.	Kansas City, Mo.
			16,700	Watsonville, Calif.	" "
8-28-59	5914	Frozen Vegetables	17,663	Idaho Falls, Idaho	Springfield, Mo.
			9,588	" "	Wichita, Kansas
			6,350	" "	Kansas City, Kansas
8-29-59	5915	Frozen Vegetables	,300	Ontario, Oregon	Houston, Texas

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DATE	PRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
8-29-59	5920	Frozen Vegetables	31,920	Chicago, Ill.	Rogers, Ark.
9-2-59	5924	Frozen Vegetables	6,300	Ontario, Oregon	Wichita, Kansas
			8,000	" "	Dodge City, Kansas
			25,284	" "	Denver, Colo.
9-2-59	5926	Frozen Vegetables	31,750	Idaho Falls, Idaho	Omaha, Nebr.
9-2-59	5926	Frozen Vegetables	4,421	Omaha, Nebr.	Kansas City, Kansas
8-31-59	5927	Fran Fruit&Vege.	32,000	Sanger, Calif.	Kansas City, Mo.
			2,550	Oxnard, Calif.	St. Joseph, Mo.
8-27-59	5928	Frozen Vegetables	28,270	Ft. Smith, Ark.	Dallas, Texas
9-2-59	5932	Frozen Vegetables	13,054	Arlington, Wash.	Union, Mo.
			22,875	Mt. Vernon, Wash.	" "
9-5-59	5933	Frozen Vegetables	5,716	Ontario, Oregon	Waco, Texas
			8,933	" "	Lubbock, Texas
			24,082	" "	Amarillo, Texas
9-2-59	5936B	Fran Fruit&Berr.	1,900	Traverse City, Mich.	Kansas City, Kansas
			1,900	" "	Topeka, Kansas
			6,400	Frankfort, Mich.	Topeka, Kansas
			19,962	Lawrence, Mich.	Kansas City, Mo.
9-4-59	5938	Fran Vege&Fish.	28,360	Ontario, Oregon	Kansas City, Mo.
			8,140	Twin Falls, Idaho	" "
9-5-59	5941	Frozen Vegetables	31,285	Ontario, Oregon	Dallas, Texas
			4,698	" "	Commerce, Texas
9-5-59	5942	Frozen Vegetables	37,820	Arlington, Wash.	Union, Mo.
9-8-59	5944	Frozen Vegetables	32,362	Ontario, Oregon	Dallas, Texas
			5,400	" "	Ft. Worth, Texas
9-5-59	5947	Fran Fruit&Vege.	32,694	Woodburn, Oregon	Amarillo, Texas
9-9-59	5948	Fran Vege&Berr.	15,175	Portland, Oregon	Tulsa, Okla.
			6,500	Weston, Oregon	" "
			16,000	Heyburn, Ida.	" "
9-5-59	5949	Frozen Vegetables	33,776	Watsonville, Calif.	Kansas City, Mo.
9-10-59	5951	Frozen Vegetables	16,000	Caldwell, Idaho	Kansas City, Mo.
			6,740	" "	Emporia, Kansas
			3,200	" "	Great Bend, Kansas
			6,740	" "	Wichita, Kansas
9-11-59	5951	Frozen Vegetables	15,345	Caldwell, Idaho	Dardanelle, Ark.
9-11-59	5952	Frozen Vegetables	31,800	Weston, Oregon	Dardanelle, Ark.
9-5-59	5954	Frozen Vegetables	5,760	Ft. Smith, Ark.	Miami, Fla.
			9,680	" "	Mobile, Ala.
			15,780	" "	Jacksonville, Fla.

DATE	PRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
9-11-59	5955	Fran Fruit&Vege.	14,050	Sanger, Calif.	Kansas City, Kansas
			2,840	Modesto, Calif.	" "
9-9-59	5956	Frozen Berries	16,000	Salem, Oregon	Kansas City, Mo.
			22,750	Portland, Oregon	" "
9-9-59	5959	Fran Vege&Berr.	3,420	Kent, Wash.	St. Joseph, Mo.
			4,000	Zillah, Wash.	" "
			11,700	Steamwood, Wash.	Smith Center, Kansas
			7,762	Ontario, Oregon	Kansas City, Kansas
			8,646	" "	Kansas City, Mo.
			2,700	" "	Topeka, Kansas
9-10-59	5961	Fran Fru&BerrsVege.	6,768	Modesto, Calif.	Kansas City, Mo.
			4,176	" "	St. Joseph, Mo.
			3,200	Manteca, Calif.	Kansas City, Kansas
			3,500	Salinas, Calif.	Topeka, Kansas
			6,300	" "	Smith Center, Kansas
			7,200	Watsonville, Calif.	" "
9-12-59	5962	Frozen Vegetables	38,264	Hillsboro, Oregon	Davenport, Iowa Chicago, Ill.
9-12-59	5962	Frozen Fruits	33,480	Traverse City, Mich.	Kansas City, Mo.
9-9-59	5963	Frozen Vegetables	40,000	Ontario, Oregon	Kansas City, Mo.
9-8-59	5964	Frozen Vegetables	42,400	Modesto, Calif.	Springdale, Ark.
9-9-59	5965	Frozen Vegetables	11,263	Ontario, Oregon	Tulsa, Okla.
			28,570	" "	Okla City, Okla.
			10,185	" "	Hutchinson, Kansas
9-9-59	5966C	Frozen Fruits	19,660	Traverse City, Mich.	Okla City, Okla.
			11,200	Frankfort, Mich.	" "
9-9-59	5966D	Frozen Fruits	16,000	Traverse City, Mich.	Kansas City, Mo.
			14,720	Frankfort, Mich.	" "
9-16-59	5971	Frozen Vegetables	25,928	Modesto, Calif.	Kansas City, Mo.
			11,014	Stockton, Calif.	" "
9-12-59	5975	Frozen Vegetables	33,020	Idaho Falls, Idaho	St. Louis, Mo.
9-15-59	5976	Fran Fru&Vege.	32,548	Hillsboro, Oregon	Little Rock, Ark.
				Caldwell, Idaho	Ft. Smith, Ark.
9-18-59	5977	Frozen Fruits	32,000	Traverse City, Mich.	Kansas City, Kansas
9-15-59	5978	Fran Fru&Vege.	31,834	Hillsboro, Oregon	Springfield, Mo. Pittsburg, Kansas
9-16-59	5980	Frozen Vegetables	7,497	Ontario, Oregon	New Orleans, La.
			8,663	" "	Thibodaux, La.
			11,138	" "	Houston, Texas
			4,501	" "	San Antonio, Texas

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DATE	PRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
9-22-59	5991	Fran FruitVege.	13,023	Hillsboro, Ore.	Memphis, Tenn.
			16,145	Nampa, Idaho	" "
9-23-59	5995	Fran FruitVege.	7,775	Modesto, Calif.	Kansas City, Mo.
			4,613	" "	Kansas City, Kansas
			10,800	" "	St. Joseph, Mo.
			12,346	Sanger, Calif.	Kansas City, Kansas
			1,800	Santa Maria, Calif.	Kansas City, Mo.
9-19-59	5997	Fran FruitVege.	36,080	Hillsboro, Oregon	Tulsa, Okla.
					Okla City, Okla.
9-21-59	5999	Fran FruitVege.	35,231	Watsonville, Calif.	Kansas City, Mo.
9-24-59	6002	Frozen Vegetables	34,547	Chicago, Ill.	Fayetteville, Ark.
9-23-59	6003	Frozen Vegetables	13,780	Ontario, Oregon	El Paso, Texas
			6,178	" "	Lubbock, Texas
			14,150	" "	Amarillo, Texas
9-22-59	6004	Frozen Vegetables	28,645	Ontario, Oregon	Okla City, Okla.
			6,750	" "	Wichita, Kansas
9-23-59	6009	Frozen Vegetables	10,266	Modesto, Calif.	Kansas City, Mo.
			19,610	Sanger, Calif.	" "
			5,263	Santa Clara, Calif.	Smith Center, Kansas
9-23-59	6013	Frozen Vegetables	9,600	Burley, Idaho	Kansas City, Mo.
			12,800	" "	Wichita, Kansas
			12,800	" "	Topeka, Kansas
10-5-59	6017	Fran FruitVege.	3,210	Wenatchee, Wash.	Santa Ana, Calif.
			17,033	" "	Hayward, Calif.
			15,550	" "	Los Angeles, Calif.
9-25-59	6021	Frozen Vegetables	33,162	Pasadena, Calif.	Kansas City, Mo.
9-28-59	6022	Fran VegetFish	33,266	Watsonville, Calif.	Kansas City, Mo.
			1,622	Monterey, Calif.	" "
9-30-59	6028	Frozen Vegetables	9,530	Ontario, Oregon	Wichita, Kansas
			24,640	" "	Dodge City, Kansas
10-2-59	6032	Frozen Vegetables	36,307	Hillsboro, Oregon	Searcy, Ark.
9-30-59	6033	Frozen Vegetables	38,976	Ontario, Oregon	Kansas City, Mo.
9-28-59	6034	Frozen Vegetables	42,400	Modesto, Calif.	Fayetteville, Ark.
9-30-59	6035	Fran FruitVege.	36,997	Hillsboro, Oregon	Springfield, Mo.
				Caldwell, Idaho	Pittsburg, Kansas
9-26-59	6037	Frozen Vegetables	8,910	Ft. Smith, Ark.	Tampa, Fla.
			13,160	" "	Birmingham, Ala.
			10,688	" "	Montgomery, Ala.
10-2-59	6043	Frozen Vegetables	33,143	Ontario, Oregon	Green Bay, Wisc.

DATE	PRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
10-2-59	6043	Frozen Fruits	32,000	Chicago, Ill.	Kansas City, Kansas
9-28-59	6044	Frozen Vegetables	30,444	Chicago, Ill.	Fayetteville, Ark.
9-28-59	6044	Frozen Vegetables	33,687	Omaha, Nebr.	Fairmont, Minn.
10-8-59	6046	FrznFruBerr&Vege.	17,250	Salem, Oregon	Kansas City, Mo.
			6,400	Portland, Oregon	" "
			9,070	Ontario, Oregon	" "
			600	" "	Kansas City, Kansas
			5,867	Nampa, Idaho	Kansas City, Mo.
10-5-59	6047A	Frozen Fruits	4,800	Traverse City, Mich.	Kansas City, Mo.
			8,000	Frankfort, Mich.	" "
			9,600	" "	St. Joseph, Mo.
			9,600	" "	Smith Center, Kansas
10-7-59	6049	Frzn Vege&Berr.	8,000	Zillah, Wash.	Kansas City, Kansas
			2,352	" "	Smith Center, Kansas
			2,700	Mt. Vernon, Wash.	" "
			1,800	Kent, Wash.	" "
			6,300	Stanwood, Wash.	St. Joseph, Mo.
			12,000	Ridgefield, Wash.	" "
			2,545	Ontario, Oregon	Smith Center, Kansas
10-5-59	6052	Frozen Vegetables	31,667	Hillsboro, Oregon	Columbus, Ohio
10-5-59	6055	Frzn Fru&Vege.	31,149	Hillsboro, Oregon	Evansville, Indiana
				Caldwell, Idaho	Paducah, Ky.
10-1-59	6058	Frozen Vegetables	30,480	Chicago, Ill.	Fayetteville, Ark.
10-8-59	6059	Frzn Fru&Vege.	32,831	Hillsboro, Oregon	San Antonio, Texas
					Dallas, Texas
10-14-59	6060A	Frozen Fruits	25,600	Traverse City, Mich.	Kansas City, Mo.
			6,400	Frankfort, Mich.	" "
10-8-59	6063	Frozen Vegetables	3,660	Modesto, Calif.	Kansas City, Mo.
			24,413	Watsonville, Calif.	" "
			9,000	Santa Cruz, Calif.	" "
10-6-59	6065	Frozen Vegetables	5,200	Burley, Idaho	Dardanelle, Ark.
10-6-59	6065	Frzn Fru&Vege.	31,957	Hillsboro, Oregon	Okla City, Okla.
10-7-59	6067	Frozen Fruits	35,200	Santa Clara, Calif.	St. James, Minn.
10-7-59	6067	Frozen Vegetables	34,000	Fairmont, Minn.	Okla City, Okla.
10-10-59	6073	Frozen Vegetables	18,150	Ontario, Oregon	New Orleans, La.
			9,482	" "	Thibodaux, La.
			6,330	" "	Shreveport, La.
10-8-59	6074	Frozen Vegetables	30,600	Ft. Smith, Ark.	Macon, Ga.
10-3-59	6075	Frozen Vegetables	27,900	Ft. Smith, Ark.	Dallas, Texas

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DATE	FRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
10-12-59	6080	Frozen Vegetables	29,638	Ontario, Oregon	Thurston, Texas
			4,186	" "	Amarillo, Texas
10-12-59	6081	Fran FruitVege.	32,282	Hillsboro, Oregon	Springfield, Mo.
					Pittsburg, Kansas
10-12-59	6084	Frozen Vegetables	34,500	Hillsboro, Oregon	Wichita, Kansas
10-10-59	6085	Frozen Vegetables	14,157	Bolivar, Tenn.	San Francisco, Calif.
10-14-59	6089	Fran Vege&Fish	32,994	Ontario, Oregon	Kansas City, Mo.
			1,100	Twin Falls, Idaho	" "
10-14-59	6090	Fran Vege&Berr.	3,600	Mt. Vernon, Wash.	Smith Center, Kansas
			5,400	" "	St. Joseph, Mo.
			3,450	Salem, Oregon	Wichita, Kansas
			7,650	" "	Kansas City, Mo.
			2,400	Albany, Oregon	St. Joseph, Mo.
			2,384	" "	Smith Center, Kansas
			12,991	Ontario, Oregon	Kansas City, Mo.
10-16-59	6092	Fran FruitVege.	38,145	Hillsboro, Oregon	Tulsa, Okla.
10-10-59	6095	Frozen Vegetables	34,000	Fairmont, Minn.	Topeka, Kansas
10-14-59	6097C	Fran FruitBerr.	25,312	Frankfort, Mich.	Kansas City, Mo.
			5,850	Lawrence, Mich.	" "
10-10-59	6097	Frozen Vegetables	13,050	Ft. Smith, Ark.	Birmingham, Ala.
			13,000	" "	Jackson, Miss.
10-23-59	6099	Fran FruitVege.	37,750	Hillsboro, Ore.	Springfield, Mo.
				Nampa, Idaho	Pittsburg, Kansas
10-20-59	6100	Frozen Vegetables	33,711	Caldwell, Idaho	Dardanelle, Ark.
10-17-59	6101	Frozen Vegetables	32,338	Hillsboro, Oregon	Dallas, Texas
			2,700	Woodburn, Oregon	" "
10-22-59	6105	FranFruBerr&Vege.	5,550	Modesto, Calif.	Kansas City, Kansas
			9,911	Sanger, Calif.	" "
			18,447	Santa Clara, Calif.	" "
			1,500	San Martin, Calif.	" "
10-22-59	6105	Frozen Vegetables	34,860	Fairmont, Minn.	Springdale, Ark.
10-19-59	6106	Frozen Vegetables	36,900	Watsonville, Calif.	Carthage, Mo.
10-23-59	6112	Frozen Vegetables	35,264	Ontario, Oregon	Milwaukee, Wisc.
10-23-59	6112	Frozen Vegetables	34,860	Fairmont, Minn.	Springdale, Ark.
10-23-59	6113	Frozen Vegetables	7,050	Modesto, Calif.	Kansas City, Mo.
			20,701	Watsonville, Calif.	" "
			5,100	Oxnard, Calif.	St. Joseph, Mo.
10-21-59	6114	Frozen Vegetables	23,459	Hillsboro, Oregon	Lexington, Ky.
			5,312	Nampa, Idaho	" "
			3,000	" "	Indianapolis, Ind.

DATE	ORD	COMMODITY	WEIGHT	ORIGIN	DESTINATION
10-20-59	6118	Frzn Veg&Berr.	6,300	Stanwood, Wash.	St. Joseph, Mo.
			24,215	Ontario, Oregon	Kansas City, Kansas
			6,075	" "	Topeka, Kansas
10-24-59	6119	Frzn Fru&Vege.	35,459	Hillsboro, Oregon	Austin, Texas
10-24-59	6120	Frozen Vegetables	33,800	Fairmont, Minn.	Springdale, Ark.
10-17-59	6121	Frozen Vegetables	26,520	Fairmont, Minn.	St. Joseph, Mo.
10-23-59	6122	Frozen Vegetables	37,960	Fairmont, Minn.	Springdale, Ark.
10-23-59	6124	Frozen Vegetables	37,960	Fairmont, Minn.	Springdale, Ark.
10-21-59	6131	Frozen Vegetables	34,840	Fairmont, Minn.	Springdale, Ark.
10-21-59	6132	Frozen Vegetables	34,840	Fairmont, Minn.	Springdale, Ark.
10-28-59	6133	Frozen Vegetables	11,756	Woodburn, Oregon	Chicago, Ill.
			21,564	Hillsboro, Oregon	" "
10-28-59	6133	Frozen Vegetables	30,504	Chicago, Ill.	Fayetteville, Ark.
10-29-59	6136	Frzn Fru&Vege.	33,775	Hillsboro, Oregon	Paducah, Ky.
				Nampa, Idaho	St. Louis, Mo.
				Caldwell, Idaho	
10-23-59	6137	Frozen Vegetables	34,840	Fairmont, Minn.	Springdale, Ark.
10-27-59	6140	Frozen Vegetables	33,800	Fairmont, Minn.	Springdale, Ark.
10-23-59	6141	Frozen Vegetables	34,840	Fairmont, Minn.	Springdale, Ark.
10-21-59	6142	Frozen Vegetables	34,840	Fairmont, Minn.	Springdale, Ark.
10-23-59	6143	Frozen Vegetables	33,800	Fairmont, Minn.	Springdale, Ark.
10-30-59	6145	Frozen Vegetables	51,250	Ogden, Utah	Little Rock, Ark.
10-27-59	6147	Frzn Fru&Vege.	36,454	Hillsboro, Oregon	Springfield, Mo.
				Caldwell, Idaho	Pittsburg, Kansas
10-27-59	6149A	Frozen Fruits	25,875	Traverse City, Mich.	Kansas City, Mo.
			7,560	" "	Kansas City, Kansas
10-26-59	6150	Frozen Vegetables	36,040	Weston, Oregon	Dardanelle, Ark.
					Clarksville, Ark.
10-27-59	6152	Frozen Vegetables	32,130	Ontario, Oregon	Kansas City, Mo.
10-23-59	6153	Frozen Vegetables	35,360	Fairmont, Minn.	Springdale, Ark.
10-28-59	6155	Frzn Fru&Vege.	17,780	Modesto, Calif.	Kansas City, Mo.
			7,810	Sanger, Calif.	" "
			9,000	Santa Cruz, Calif.	" "
			10,150	Watsonville, Calif.	
10-26-59	6156	Frozen Vegetables	33,800	Fairmont, Minn.	Springdale, Ark.

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DATE	PRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
10-22-59	6156A	Frozen Vegetables	34,840	Fairmont, Minn.	Springdale, Ark.
10-26-59	6156B	Frozen Vegetables	33,000	Hopkins, Minn.	Kansas City, Mo.
10-26-59	6156C	Frozen Vegetables	33,800	Fairmont, Minn.	Springdale, Ark.
10-26-59	6156D	Frozen Vegetables	33,800	Fairmont, Minn.	Springdale, Ark.
10-26-59	6156E	Frozen Vegetables	33,800	Fairmont, Minn.	Springdale, Ark.
10-24-59	6156F	Frozen Vegetables	33,800	Fairmont, Minn.	Springdale, Ark.
10-30-59	6157	Frzn Vege&Poultry	30,253	Fayetteville, Ark.	Omaha, Nebr.
10-29-59	6157	Frozen Vegetables	24,948	Omaha, Nebr.	Fairmont, Minn.
10-29-59	6157	Frozen Vegetables	33,800	Fairmont, Minn.	Springdale, Ark.
10-29-59	6160	Frozen Vegetables	33,800	Fairmont, Minn.	Springdale, Ark.
11-2-59	6161	Frozen Vegetables	4,320 11,025 22,560	Ontario, Oregon " " " "	Tulsa, Okla. Okla City, Okla. Wichita, Kansas
11-3-59	6168	Frozen Vegetables	37,938	Ontario, Oregon	Kansas City, Mo.
11-3-59	6171	Frzn Vege&Berr.	11,700 6,300 15,300	Mt. Vernon, Wash. Stanwood, Wash. Kent, Wash.	St. Joseph, Mo. Smith Center, Kansas " "
11-5-59	6172	Frzn Vege&Berr.	800 10,650 6,290 16,200	Modesto, Calif. " " San Martin, Calif. " "	Ft. Smith, Ark. Okla City, Okla. Ft. Smith, Ark. Okla City, Okla.
11-5-59	6173	Frozen Vegetables	35,445	Ontario, Oregon Boise, Idaho	Kansas City, Mo. Kansas City, Kansas Smith Center, Kansas
11-2-59	6183	Frozen Vegetables	34,716	Hopkins, Minn.	Kansas City, Mo.
11-14-59	6186	Frzn Fru&Vege.	35,033	Hillsboro, Oregon Nampa, Idaho	Paducah, Ky. St. Louis, Mo.
11-10-59	6187	Frzn Fru&Vege.	23,534 16,000	Hillsboro, Oregon Nampa, Idaho	Little Rock, Ark. Ft. Smith, Ark.
11-12-59	6188	Frzn Fru&Vege.	34,211	Hillsboro, Oregon	Columbus, Ohio
11-12-59	6188	Frozen Vegetables	30,322	Chicago, Ill.	Fayetteville, Ark.
11-7-59	6189	Frozen Vegetables	30,062	Ft. Smith, Ark.	Philadelphia, Pa.
11-7-59	6189	Frozen Fruits	31,890	Traverse City, Mich.	Kansas City, Mo.
11-9-59	6192	Frozen Berries	17,083 5,900 12,600	Salinas, Calif. " " " "	Memphis, Tenn. Little Rock, Ark. Denver, Colo.

DATE	PRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
11-16-59	6195	Frozen Vegetables	36,600	Snohomish, Wash.	Dardanelle, Ark. Clarksville, Ark.
11-9-59	6196	Frozen Vegetables	12,101	Ontario, Oregon	Dallas, Texas
			1,087	Nampa, Idaho	Ft. Worth, Texas
			10,250	" "	Amarillo, Texas
			9,600	Ontario, Oregon	" "
			5,600	" "	Albuquerque, N. M.
11-9-59	6197	Frozen Vegetables	33,315	Hillsboro, Oregon	Wichita, Kansas
11-18-59	6209	Fran Vege&Berr.	2,115	Salem, Oregon	Okla City, Okla.
			6,350	Portland, Oregon	" "
			8,000	" "	Tulsa, Okla.
			27,150	" "	Carthage, Mo.
11-18-59	6211	Fran Fruit&Vege.	39,544	Hillsboro, Oregon	Houston, Texas
11-16-59	6212	Fran Fruit&Vege.	36,507	Portland, Oregon	Dallas, Texas
11-19-59	6213	Frozen Vegetables	15,750	Ontario, Oregon	New Orleans, La.
			10,318	" "	Thibodaux, La.
			11,383	" "	San Antonio, Texas
11-25-59	6213	Frozen Vegetables	36,000	Hammond, La.	Johnson, Ark.
11-12-59	6216	Frozen Vegetables	30,517	Chicago, Ill.	Fayetteville, Ark.
11-17-59	6223	Fran Fruit&Vege.	39,797	Hillsboro, Oregon	Springfield, Mo.
				Nampa, Idaho	Pittsburg, Kansas
11-16-59	6224	Frozen Vegetables	15,567	Ontario, Oregon	Okla City, Okla.
			15,750	" "	Lubbock, Texas
			4,512	" "	Amarillo, Texas
11-18-59	6228	Frozen Vegetables	37,196	Watsonville, Calif.	Kansas City, Mo.
11-20-59	6232	Fran Fruit&Vege.	33,338	Hillsboro, Oregon	Nashville, Tenn.
11-25-59	6232	Frozen Vegetables	36,000	Hammond, La.	Johnson, Ark.
11-13-59	6236	Frozen Vegetables	3,600	Little Rock, Ark.	Montgomery, Ala.
			22,500	Ft. Smith, Ark.	Birmingham, Ala.
11-25-59	6236	Frozen Vegetables	23,712	Hammond, La.	Johnson, Ark.
			560	" "	Little Rock, Ark.
11-25-59	6242	Frozen Vegetables	35,880	Ontario, Oregon	Kansas City, Mo.
11-28-59	6246	Fran Fruit&Vege.	35,483	Hillsboro, Oregon	Houston, Texas
11-24-59	6248	Frozen Vegetables	17,017	Arlington, Wash.	Kansas City, Mo.
			10,400	Zillah, Wash.	St. Joseph, Mo.
			2,400	Monroe, Wash.	" "
			3,350	" "	Smith Center, Kansas
11-20-59	6250	Frozen Fruits	22,564	Traverse City, Mich.	Kansas City, Mo.
			10,000	Frankfort, Mich.	"

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DATE	PRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
11-24-59	6256	Frozen Vegetables	37,127	Ogden, Utah	Little Rock, Ark.
11-24-59	6257	Frozen Vegetables	33,916	Watsonville, Calif.	Carthage, Mo.
11-28-59	6259	Frozen Vegetables	28,006	Modesto, Calif.	Kansas City, Mo.
			13,800	Santa Cruz, Calif.	" "
12-5-59	6261	Fran Fru&Vege.	40,879	Hillsboro, Oregon	Springfield, Mo.
				Nampa, Idaho	Pittsburg, Kansas
11-28-59	6263	Frozen Vegetables	34,860	Salinas, Calif.	Dardanelle, Ark.
11-28-59	6264	Fran Fru&Vege.	38,995	Hillsboro, Oregon	Amarillo, Texas
11-27-59	6265	Frozen Vegetables	28,050	Fairmont, Minn.	St. Joseph, Mo.
12-7-59	6267	Frozen Vegetables	26,190	Portland, Oregon	Atlanta, Ga.
11-28-59	6271	Frozen Vegetables	36,991	Ontario, Oregon	Kansas City, Mo.
					Salina, Kansas
12-1-59	6273	Frozen Vegetables	44,286	Watsonville, Calif.	Kansas City, Mo.
12-5-59	6276	Frozen Vegetables	6,800	Monroe, Wash.	St. Joseph, Mo.
			9,600	Zillah, Wash.	" "
			14,801	Ontario, Oregon	Kansas City, Mo.
			3,510	" "	Kansas City, Kansas
			3,651	" "	Smith Center, Kansas
12-8-59	6277	Fran Vege&Berr.	16,372	Portland, Oregon	Tulsa, Okla.
			9,600	" "	Okla City, Okla.
			5,611	Weston, Oregon	Tulsa, Okla.
			9,600	Caldwell, Idaho	" "
12-8-59	6277	Frozen Vegetables	34,720	Searcy, Ark.	Portland, Oregon
12-5-59	6278	Frozen Vegetables	5,123	Memphis, Tenn.	Union, Mo.
12-7-59	6278	Frozen Fruits	31,900	Traverse City, Mich.	Kansas City, Kansas
12-10-59	6280	Frozen Vegetables	37,513	Ontario, Oregon	New Orleans, La.
				Boise, Idaho	Thibodaux, La.
					Houston, Texas
					Waco, Texas
					El Paso, Texas
12-7-59	6281	Frozen Vegetables	35,200	Ontario, Oregon	Dodge City, Kansas
12-7-59	6282A	Frozen Fruits	30,464	Traverse City, Mich.	Kansas City, Kansas
12-5-59	6284	Frozen Vegetables	8,000	Ogden, Utah	Okla City, Okla.
			6,400	" "	Kansas City, Mo.
			9,600	" "	Topeka, Kansas
			4,800	" "	Wichita, Kansas
			5,120	" "	" "
12-4-59	6285	Frozen Vegetables	30,000	Hammond, La.	Fayetteville, Ark.

DATE	PRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
12-7-59	6286	Frozen Vegetables	35,992	Hammond, Ia.	Fayetteville, Ark.
12-[illegible]-59	6292	Frozen Vegetables	35,012	Omaha, Nebr.	Fairmont, Minn.
12-7-59	6292	Frozen Vegetables	30,444	Chicago, Ill.	Springdale, Ark.
12-5-59	6295	Frozen Fruits	32,000	Traverse City, Mich.	Kansas City, Mo.
12-12-59	6296	Frozen Berries	3,552	Everett, Wash.	Kansas City, Mo.
			28,600	Salem, Oregon	" "
			5,400	" "	Topeka, Kansas
12-15-59	6297	FranFruBerr&Vege.	17,662	Wenatchee, Wash.	Pittsburg, Kansas
			880	Puyallup, Wash.	" "
			3,750	Gresham, Oregon	" "
			12,610	Hillsboro, Oregon	" "
			6,400	Caldwell, Idaho	" "
12-16-59	6297	Frozen Fruits	2,397	Pittsburg, Kansas	Tulsa, Okla.
12-11-59	6299	Frozen Vegetables	7,996	Ontario, Oregon	Kansas City, Kansas
			17,431	" "	Kansas City, Mo.
			8,100	" "	Topeka, Kansas
12-12-59	6300	Frozen Vegetables	20,160	Caldwell, Idaho	Tulsa, Okla.
			17,190	" "	Okla City, Okla.
12-14-59	6301	Frozen Vegetables	36,713	Ogden, Utah	Ft. Smith, Ark.
12-18-59	6304	Fran Fru&Vege.	35,399	Hillsboro, Oregon	Houston, Texas
12-1[illegible]-59	63[illegible]	Fran Fru&Vege.	35,564	Hillsboro, Oregon	Springfield, Mo.
					Pittsburg, Kansas
12-22-59	6312	Frozen Vegetables	32,831	Hillsboro, Oregon	Columbus, Ohio
12-22-59	6312	Frozen Vegetables	30,757	Chicago, Ill.	Fayetteville, Ark.
1-6-60	6316	Frozen Vegetables	30,004	Johnson, Ark.	Carrollton, Mo.
12-23-59	6319	Fran Fru&Vege.	34,382	Portland, Oregon	Columbus, Ohio
12-23-59	6319	Frozen Vegetables	29,858	Chicago, Ill.	Fayetteville, Ark.
12-16-59	6324	Fran Vege&Berr.	30,552	Ft. Smith, Ark.	Phila., Pa.
12-24-59	6327A	Fran Fru&Berr.	27,795	Traverse City, Mich.	Kansas City, Mo.
12-29-59	6338	Fran [illegible]&Vege.	22,350	Modesto, Calif.	Kansas City, Mo.
			11,920	Sanger, Calif.	" "
			3,600	Santa Cruz, Calif.	" "
			1,675	Santa Maria, Calif.	" "
12-24-59	6340	Fran Fru&Vege.	35,366	Hillsboro, Oregon	Okla City, Okla.
			875	Portland, Oregon	" "
1-2-60	6343	Fran Fru&Vege.	38,373	Hillsboro, Oregon	Dallas, Texas

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DATE	PRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
1-2-60	6343	Frozen Vegetables	36,000	Hammond, La.	Fayetteville, Ark.
12-29-59	6345	Fran FruitVege.	34,050	Hillsboro, Oregon	Little Rock, Ark. Ft. Smith, Ark.
12-30-59	6347	FranFruBerrVege& Fish	14,378	Salem, Oregon	Kansas City, Mo.
			5,100	" "	Wichita, Kansas
			4,588	Ontario, Oregon	Kansas City, Mo.
			12,766	" "	Kansas City, Kansas
			1,265	Twin Falls, Idaho	Kansas City, Mo.
12-28-59	6347A	Frozen Vegetables	13,300	Ft. Smith, Ark.	Philadelphia, Pa.
			10,688	" "	Richmond, Va.
12-29-59	6349	Frozen Vegetables	38,762	Watsonville, Calif.	Kansas City, Mo.
			3,676	" "	Topeka, Kansas
12-31-59	6350	Fran FruitVege.	37,257	Hillsboro, Oregon Nampa, Idaho	Springfield, Mo. Pittsburg, Kansas
12-28-59	6351	Frozen Vegetables	28,666	Caldwell, Idaho	Dardanelle, Ark.
			4,160	Burley, Idaho	Clarksville, Ark.
12-31-59	6354	Frozen Vegetables	10,033	Ontario, Oregon	Houston, Texas
			7,914	" "	Commerce, Texas
			13,500	" "	Dallas, Texas
			8,000	" "	Amarillo, Texas
1-2-60	6357C	Frozen Fruits	26,041	Traverse City, Mich.	Kansas City, Mo.
			4,800	Frankfort, Mich.	" "
1-4-60	6362	Frozen Vegetables	38,690	Weston, Oregon	Dardanelle, Ark.
1-6-60	6363	Fran FruitVege.	33,658	Hillsboro, Oregon Nampa, Idaho	Springfield, Mo. Pittsburg, Kansas
1-6-60	6364	Frozen Vegetables	10,702	Ontario, Oregon	Tulsa, Okla.
			37,168	" "	Okla City, Okla.
1-5-60	6365	Fran FruitVege.	34,984	Hillsboro, Oregon Nampa, Idaho	Paducah, Ky. Evansville, Ind.
1-9-60	6366	Frozen Vegetables	34,860	Salinas, Calif.	Dardanelle, Ark.
1-9-60	6368	Frozen Vegetables	34,925	Ontario, Oregon	New Orleans, La.
1-11-60	6368	Frozen Vegetables	35,994	Hammond, La.	Fayetteville, Ark.
1-9-60	6374	Frozen Vegetables	12,700	Idaho Falls, Idaho	Ft. Smith, Ark.
			21,125	Ogden, Utah	Springfield, Mo.
1-6-60	6375	Frozen Vegetables	39,987	Little Rock, Ark.	Hillsboro, Oregon
1-11-60	6375	Fran FruitVege.	32,005	Hillsboro, Oregon	Memphis, Tenn. Okla City, Okla.
1-12-60	6376	Fran Vege&Berr.	10,650	Monroe, Wash.	Smith Center, Kansas
			2,545	Salem, Oregon	" "
			6,045	Ontario, Oregon	Kansas City, Kansas
			14,288	" "	Kansas City, Mo.

DATE	PRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
1-18-60	6378	Frozen Vegetables	36,282	Santa Maria, Calif.	Crete, Nebr.
			16,000	Santa Cruz, Calif.	" "
			1,675	Modesto, Calif.	" "
1-9-60	6375	Frozen Vegetables	37,800	San Martin, Calif.	Kansas City, Kansas
1-12-60	6381	Frozen Vegetables	34,980	Weston, Oregon	Carthage, Mo.
			4,575	Ontario, Oregon	Topeka, Kansas
1-12-60	6384	Fran Fru&Vege.	22,350	Modesto, Calif.	Kansas City, Mo.
			6,970	Sanger, Calif.	" "
			13,800	Santa Cruz, Calif.	" "
1-13-60	6386	Fran Fru&Vege.	25,775	Hillsboro, Oregon	Wichita, Kansas
			8,750	Woodburn, Oregon	" "
1-9-60	6387	Frozen Fruits	25,545	Traverse City, Mich.	Okla City, Okla.
			4,000	Frankfort, Mich.	" "
1-9-60	6389	Frozen Vegetables	24,248	Ontario, Oregon	Burlington, Iowa
			13,748	" "	St. Louis, Mo.
1-13-60	6391	Fran Fru&Vege.	33,627	Hillsboro, Oregon	Indianapolis, Ind.
1-15-60	6391	Frozen Fruits	31,900	Traverse City, Mich.	Kansas City, Kansas
1-19-60	6392	Frozen Vegetables	7,620	Ontario, Oregon	Waco, Texas
			22,016	" "	Dallas, Texas
			9,600	" "	Amarillo, Texas
1-18-60	6398	Frozen Vegetables	21,088	Ontario, Oregon	Houston, Texas
			2,025	" "	Ft. Worth, Texas
			9,948	" "	Lubbock, Texas
1-16-60	6398	Frozen Vegetables	36,000	Hammond, La.	Fayetteville, Ark.
1-11-60	6400	Frozen Vegetables	36,000	Hammond, La.	Fayetteville, Ark.
1-12-60	6401	Frozen Vegetables	35,984	Hammond, La.	Fayetteville, Ark.
1-19-60	6402	Fran Fru&Vege.	34,379	Portland, Oregon	Nashville, Tenn.
1-20-60	6404	Fran Fru&Vege.	36,675	Hillsboro, Oregon	Springfield, Mo.
				Nampa, Idaho	Pittsburg, Kansas
1-20-60	6406	Fran Fru&Vege.	18,273	Portland, Oregon	Tulsa, Okla.
			13,775	" "	Okla City, Okla.
1-22-60	6407	Frozen Vegetables	15,195	Ontario, Oregon	Kansas City, Mo.
			19,950	" "	Kansas City, Kansas
1-22-60	6407	Frozen Vegetables	30,144	Fairmont, Minn.	Kansas City, Mo.
2-4-60	6408	Frozen Vegetables	11,113	Idaho Falls, Idaho	Okla City, Okla.
			22,225	" "	Lawrence, Kansas

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DATE	PRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
1-29-60	6412	Frzn Vege&Fish	5,200	Bellingham, Wash.	Little Rock, Ark.
			3,575	" "	Lubbock, Texas
			2,600	" "	Dallas, Texas
			1,565	Seattle, Wash.	Dallas, Texas
			3,513	" "	Amarillo, Texas
			630	" "	Lubbock, Texas
			19,200	Ogden, Utah	Little Rock, Ark.
1-23-60	6413	Frozen Vegetables	13,638	Ontario, Oregon	Lafayette, Ind.
			23,276	" "	Richmond, Ind.
1-26-60	6415	Frozen Vegetables	33,305	Ontario, Oregon	Okla City, Okla.
			5,561	" "	Tulsa, Okla.
1-16-60	6416	Frozen Fruits	25,190	Traverse City, Mich.	Kansas City, Mo.
			6,696	Frankfort, Mich.	" "
1-23-60	6421	Frozen Vegetables	35,264	Nampa, Idaho	Houston, Texas
1-23-60	6421	Frozen Vegetables	35,984	Hammond, La.	Fayetteville, Ark.
1-25-60	6423	Frzn Fru&Vege.	35,912	Hillsboro, Oregon	Houston, Texas San Antonio, Texas
1-27-60	6425	Frzn. Vege&Berr.	3,330	Portland, Oregon	St. Joseph, Mo.
			5,100	" "	Kansas City, Mo.
			1,530	Weston, Oregon	St. Joseph, Mo.
			12,150	Monroe, Wash.	Smith Center, Kansas
			8,175	Ontario, Oregon	Topeka, Kansas
			5,993	" "	Kansas City, Mo.
1-25-60	6427	Frozen Vegetables	2,110	San Martin, Calif.	Sioux City, Iowa
			14,300	" "	Omaha, Nebr.
			13,336	" "	St. Joseph, Mo.
			3,000	Santa Maria, Calif.	Omaha, Nebr.
			1,125	" "	Sioux City, Iowa
1-26-60	6429	Frzn Fru&Vege.	20,318	Hillsboro, Oregon	Woodlawn, Ohio
			14,983	Portland, Oregon	" "
1-23-60	6434	Frozen Vegetables	9,282	Los Angeles, Calif.	Union, Mo.
			40,560	Salinas, Calif.	" "
1-26-60	6436	Frozen Vegetables	31,959	Hillsboro, Oregon	Tulsa, Okla.
1-26-60	6437	Frozen Vegetables	19,085	Searcy, Ark.	Hillsboro, Oregon
			12,960	" "	Woodburn, Oregon
1-26-60	6437	Frzn Fru&Vege.	33,426	Hillsboro, Oregon	Memphis, Tenn. Little Rock, Ark.
1-28-60	6439	Frozen Vegetables	14,836	Ontario, Oregon	Wichita, Kansas
			6,709	" "	Hutchinson, Kansas
			15,668	" "	Denver, Colo.
2-12-60	6441	Frozen Vegetables	17,844	Ontario, Oregon	Los Angeles, Calif.
			18,013	" "	Riverside, Calif.
			3,780	" "	San Diego, Calif.

DATE	PRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
2-1-60	6447	Frzn Vege&Berr.	4,800	Sumner, Wash.	Kansas City, Mo.
			24,343	Salem, Oregon	" "
			4,867	Ontario, Oregon	" "
			4,800	" "	Salina, Kansas
2-2-60	6447B	Frozen Vegetables	4,800	Ontario, Oregon	Springfield, Ill.
			28,796	" "	Peoria, Ill.
			5,813	" "	Galesburg, Ill.
1-29-60	6449	Frozen Vegetables	33,250	Memphis, Tenn.	Woodburn, Oregon Portland, Oregon
1-29-60	6449	Frozen Vegetables	34,980	Weston, Oregon	Carthage, Mo.
2-2-60	6451	Frozen Vegetables	31,058	Ontario, Oregon	Dallas, Texas
			6,750	" "	Ft. Worth, Texas
2-2-60	6453	Frzn Fru&Vege.	35,704	Hillsboro, Oregon Nampa, Idaho	Springfield, Mo. Pittsburg, Kansas
2-2-60	6454	Frozen Vegetables	35,546	Caldwell, Idaho	Dardanelle, Ark. Van Buren, Ark.
1-28-60	6457	Frozen Vegetables	17,500	Memphis, Tenn.	Hillsboro, Oregon
			12,960	Searcy, Arkansas	" "
2-5-60	6457	Frozen Vegetables	34,530	Hillsboro, Oregon Woodburn, Oregon	Dallas, Texas
2-1-60	6457	Frozen Vegetables	35,984	Hammond, La.	Fayetteville, Ark.
2-4-60	6459	Frozen Vegetables	14,620	Modesto, Calif.	Kansas City, Mo.
			2,962	Santa Cruz, Calif.	" "
			4,070	Sanger, Calif.	" "
			12,700	Watsonville, Calif.	" "
			6,700	Santa Maria, Calif.	" "
2-2-60	6460	Frozen Vegetables	32,000	Nampa, Idaho	Columbia, Mo.
2-1-60	6461	Frozen Vegetables	34,250	Arlington, Wash.	Kansas City, Kansas
2-2-60	6462	Frzn?ru?Berr&Vege.	32,535	Salem, Oregon	Kansas City, Mo.
			5,985	Hillsboro, Oregon	" "
1-28-60	6463E	Frozen Vegetables	30,390	Fairmont, Minn.	Kansas City, Mo.
2-2-60	6464	Frozen Vegetables	16,799	Ontario, Oregon	Kansas City, Mo.
			11,455	" "	Kansas City, Kansas
			7,493	" "	St. Joseph, Mo.
			3,400	" "	Topeka, Kansas
2-2-60	6467	Frzn Fru&Vege.	37,727	Woodburn, Oregon	Dallas, Texas
2-4-60	6469	Frozen Vegetables	26,487	Ontario, Oregon	Wichita, Kansas
			6,862	" "	Denver, Colo.

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DATE	PRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
2-8-60	6470	Fran Fru&Berr&Vege.	11,550	San Martin, Calif.	Wichita, Kansas
			16,650	Santa Maria, Calif.	" "
			4,200	Salinas, Calif.	" "
			2,700	Sanger, Calif.	" "
2-2-60	6472	Fran Fru&Vege.	34,731	Woodburn, Oregon	Dallas, Texas
2-4-60	6473	Fran Fru&Vege.	19,544	Hillsboro, Oregon	Chicago, Ill.
			6,713	Woodburn, Oregon	" "
			9,050	Nampa, Idaho	" "
2-5-60	6473	Frozen Fruits	32,000	Traverse City, Mich.	Kansas City, Kansas
2-9-60	6474	Frozen Vegetables	36,423	Watsonville, Calif.	Kansas City, Mo.
2-8-60	6476	Fran Fru&Vege.	30,403	Hillsboro, Oregon	Dallas, Texas
			5,100	Portland, Oregon	" "
2-12-60	6476B	Frozen Fruits	29,655	Traverse City, Mich.	Kansas City, Mo.
2-12-60	6478	Fran Fru&Vege.	38,785	Hillsboro, Oregon	Corpus Christi, Texas
2-15-60	6479	Fran Fru&Vege.	30,665	Woodburn, Oregon	Nashville, Tenn.
2-13-60	6488	Frozen Vegetables	4,800	Sumner, Wash.	Kansas City, Mo.
			29,700	Milton-Freewater, Ore.	" "
			4,800	Ontario, Oregon	" "
2-10-60	6489	Fran Vege&Berr.	14,300	San Martin, Calif.	St. Joseph, Mo.
			8,480	" "	Kansas City, Kansas
			5,600	Santa Maria, Calif.	" "
			6,400	Watsonville, Calif.	" "
2-17-60	6491	Frozen Vegetables	32,025	Snohomish, Wash.	Union, Mo.
2-12-60	6498	Frozen Vegetables	25,539	Searcy, Ark.	Dayton, Ohio
			6,300	Bells, Tenn.	" "
2-16-60	6502	Fran Fru&Vege.	35,459	Hillsboro, Oregon	Tulsa, Okla.
2-16-60	6506	Fran Vege&Berr.	32,478	Modesto, Calif.	Kansas City, Mo.
			5,600	Watsonville, Calif.	Kansas City, Kansas
2-18-60	6507	Frozen Vegetables	11,600	Ontario, Oregon	Tulsa, Okla.
			22,709	" "	Okla City, Okla.
2-19-60	6511	Frozen Vegetables	9,638	Ontario, Oregon	Kansas City, Mo.
			21,358	" "	Kansas City, Kansas
			7,475	" "	Topeka, Kansas
2-18-60	6514	Fran Fru&Vege.	11,396	Sanger, Calif.	Kansas City, Mo.
			4,550	Santa Cruz, Calif.	" "
			26,492	Watsonville, Calif.	" "
2-13-60	6516	Frozen Vegetables	30,036	Searcy, Ark.	Nashville, Tenn.
3-11-60	6517	Frozen Vegetables	11,975	St. James, Minn.	Smith Center, Kansas
			17,850	Fairmont, Minn.	" "

DATE	PRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
2-18-60	6518	Frozen Vegetables	17,500	Little Rock, Ark.	Brockport, N. Y.
			13,969	Memphis, Tenn.	" "
2-23-60	6522A	Fran FrukBerr.	21,459	Traverse City, Mich.	Kansas City, Mo.
			3,200	Frankfort, Mich.	" "
			4,400	Lawrence, Mich.	" "
2-23-60	6523	Fran VegetBerr.	16,066	Monroe, Wash.	Smith Center, Kansas
			3,200	Zillah, Wash.	" "
			8,500	Tacoma, Wash.	" "
			3,200	Salem, Oregon	" "
			3,175	Ontario, Oregon	" "
2-26-60	6524	Fran VegetBerr.	24,435	Arlington, Wash.	Okla City, Okla.
			5,500	" "	Ft. Smith, Ark.
			2,625	Tacoma, Wash.	Okla City, Okla.
			4,125	Ferndale, Wash.	" "
2-24-60	6525	Fran FrukVege.	37,665	Hillsboro, Oregon	Springfield, Mo.
				Caldwell, Idaho	Pittsburg, Kansas
2-26-60	6527	Fran FrukVege.	18,050	Sanger, Calif.	Kansas City, Mo.
			3,480	Watsonville, Calif.	Topeka, Kansas
			13,500	" "	Kansas City, Mo.
2-26-60	6527	Frozen Vegetables	30,134	Kansas City, Kansas	Union, Mo.
3-1-60	6529	Frozen Vegetables	31,875	Fairmont, Minn.	Lubbock, Texas
2-24-60	6530	Frozen Vegetables	33,953	Ontario, Oregon	Dallas, Texas
				Nampa, Idaho	Lubbock, Texas
2-24-60	6531	Frozen Vegetables	34,071	Caldwell, Idaho	Union, Mo.
2-23-60	6535	Frozen Fruits	30,371	Traverse City, Mich.	Kansas City, Mo.
3-7-60	6538	Fran FrukBerr.	28,320	Traverse City, Mich.	Kansas City, Mo.
			2,090	Lawrence, Mich.	" "
3-1-60	6539	Frozen Vegetables	14,380	Modesto, Calif.	Kansas City, Mo.
			24,615	Watsonville, Calif.	" "
3-2-60	6540	Fran VegetBerr.	9,600	Everett, Wash.	Kansas City, Mo.
			3,200	Ridgefield, Wash.	" "
			3,300	Chehalis, Wash.	" "
			15,140	Salem, Oregon	" "
			6,600	Milton-Freewater, Ore.	" "
3-1-60	6544	Frozen Vegetables	5,450	Ontario, Oregon	Kansas City, Mo.
			14,990	" "	Kansas City, Kansas
			13,100	" "	Smith Center, Kansas
3-1-60	6545	Fran FrukVege.	40,102	Hillsboro, Oregon	Springfield, Mo.
				Nampa, Idaho	Pittsburg, Kansas
3-8-60	6547	Frozen Vegetables	36,960	Arlington, Wash.	Dardanelle, Ark.
					Clarksville, Ark.

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DATE	PRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
3-2-60	6551	Frozen Vegetables	28,000	Independence, La.	Tampa, Fla.
3-2-60	6552	Frozen Vegetables	28,000	Independence, La.	Miami Beach, Fla.
3-1-60	6553	Frozen Vegetables	28,575	Idaho Falls, Idaho	Kansas City, Kansas
			8,000	Ogden, Utah	St. Joseph, Mo.
3-9-60	6560	Frozen Vegetables	39,450	Ontario, Oregon	Houston, Texas
3-11-60	6552	Frozen Vegetables	12,550	St. James, Minn.	Smith Center, Kansas
			16,150	Fairmont, Minn.	" "
3-7-60	6554	Frozen Vegetables	30,450	Searcy, Ark.	Portland, Oregon
3-7-60	6554	Frzn Fru&Vege.	25,323	Hillsboro, Oregon	El Paso, Texas
			9,388	Portland, Oregon	" "
3-1-60	6556	Frozen Vegetables	32,970	Santa Cruz, Calif.	Kansas City, Mo.
3-11-60	6559	Frzn Fru&Vege.	33,429	Hillsboro, Oregon	Memphis, Tenn.
					Little Rock, Ark.
3-3-60	6559	Frozen Vegetables	10,500	Memphis, Tenn.	Hillsboro, Oregon
			22,750	" "	Woodburn, Oregon
3-10-60	6564	Frzn Vege&Berr.	3,400	Monroe, Wash.	St. Joseph, Mo.
			14,400	" "	Smith Center, Kansas
			6,375	Weston, Oregon	St. Joseph, Mo.
			10,875	Stayton, Oregon	" "
3-11-60	6567	Frozen Vegetables	26,400	Fayetteville, Ark.	Cleveland, Ohio
			3,600	" "	Pittsburg, Pa.
3-11-60	6568	Frzn Fru&Vege.	33,068	Woodburn, Oregon	Nashville, Tenn.
3-9-60	6569A	Frozen Vegetables	30,508	Ft. Smith, Ark.	Philadelphia, Pa.
3-23-60	6572	Frozen Vegetables	3,500	Santa Maria, Calif.	Seattle, Wash.
			47,945	Santa Cruz, Calif.	" "
3-12-60	6572	Frzn Vege&Berr.	21,000	Everett, Wash.	Kansas City, Mo.
			9,075	Milton-Freewater, Ore.	" "
			2,700	Salem, Oregon	Topeka, Kansas
			2,700	" "	Kansas City, Mo.
			2,700	" "	Wichita, Kansas
			3,900	West Salem, Ore.	Kansas City, Mo.
3-14-60	6577	Frzn Fru&Vege.	32,925	Hillsboro, Oregon	Springfield, Mo.
				Walla Walla, Wash.	Pittsburg, Kansas
3-15-60	6578	Frozen Vegetables	37,266	Ontario, Oregon	Kansas City, Mo.
				Nampa, Idaho	Kansas City, Kansas
3-19-60	6582	Frozen Vegetables	40,280	Weston, Oregon	Watsonville, Calif.
3-15-60	6582	Frozen Vegetables	28,080	Salinas, Calif.	Union, Mo.
			5,100	Los Angeles, Calif.	" "

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DATE	PRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
3-16-60	6583	Frozen Vegetables	8,800	Ontario, Oregon	Kansas City, Kansas
			24,076	" "	Wichita, Kansas
			5,120	" "	Hutchinson, Kansas
3-22-60	6584	FrznFruBerrsVege.	16,550	Arlington, Wash.	Okla City, Okla.
			5,500	" "	Tulsa, Okla.
			7,178	" "	Wichita, Kansas
			4,125	Ferndale, Wash.	Okla City, Okla.
			2,550	Seattle, Wash.	Tulsa, Okla.
3-12-60	6585	Frozen Vegetables	35,127	Watsonville, Calif.	Kansas City, Mo.
3-16-60	6588	Frzn VegsFru.	10,838	Modesto, Calif.	Kansas City, Mo.
			25,400	Sanger, Calif.	" "
3-19-60	6589	Frozen Vegetables	15,090	St. James, Minn.	Wichita, Kansas
			11,010	" "	Smith Center, Kansas
			5,100	Fairmont, Minn.	" "
3-19-60	6590	Frozen Vegetables	17,800	Ontario, Oregon	Houston, Texas
			7,300	" "	Dallas, Texas
			10,082	" "	Lubbock, Texas
3-17-60	6592	Frozen Vegetables	34,000	Fairmont, Minn.	Okla City, Okla.
3-13-60	6595	Frozen Vegetables	17,150	Memphis, Tenn.	Hillsboro, Oregon
			17,500	" "	Woodburn, Oregon
3-19-60	6595	Frzn FrukVege.	33,838	Hillsboro, Oregon	Tulsa, Okla.
					Okla City, Okla.
3-19-60	6596	Frozen Vegetables	36,040	Weston, Oregon	Carthage, Mo.
			3,500	Stayton, Oregon	Kansas City, Mo.
3-22-60	6601	Frzn FrukVege.	35,846	Hillsboro, Oregon	Springfield, Mo.
				Nampa, Idaho	Pittsburg, Kansas
3-23-60	6603	Frzn VegsFish	4,500	Monroe, Wash.	Smith Center, Kansas
			1,600	Zillah, Wash.	" "
			9,446	Seattle, Wash.	Kansas City, Mo.
			2,200	Twin Falls, Idaho	" "
			9,540	Ontario, Oregon	" "
			5,325	" "	Kansas City, Kansas
3-19-60	6607	Frozen Vegetables	35,984	Hammond, La.	Fayetteville, Ark.
3-23-60	6608	Frozen Berries	12,000	Ridgefield, Wash.	St. Joseph, Mo.
			12,600	Portland, Oregon	Kansas City, Mo.
			4,350	Salem, Oregon	" "
			8,100	" "	Wichita, Kansas
3-22-60	6609	Frzn VegsBerr.	23,000	Arlington, Wash.	Topeka, Kansas
			10,600	" "	Kansas City, Mo.
			4,812	Ferndale, Wash.	Topeka, Kansas
3-22-60	6612	Frzn FrukBerr.	27,000	Arlington, Wash.	Wichita, Kansas
			3,500	Prosser, Wash.	Hutchinson, Kansas
			7,000	Tacoma, Wash.	Wichita, Kansas

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DATE	PRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
3-22-60	6614	Fran Vege&Berr.	4,560	Santa Maria, Calif.	Ft. Smith, Ark.
			5,562	" "	Okla City, Okla.
			9,872	San Martin, Calif.	" "
			8,750	" "	Wichita, Kansas
3-19-60	6620	Frozen Vegetables	35,984	Hammond, La.	Fayetteville, Ark.
				Ponchatoula, La.	" "
3-23-60	6620B	Frozen Vegetables	30,600	Memphis, Tenn.	Seabrook, N. J.
3-22-60	6622	Frozen Vegetables	28,116	Ontario, Oregon	Okla City, Okla.
			4,980	" "	Tulsa, Okla.
3-30-60	6624	Frozen Vegetables	16,519	Hillsboro, Oregon	Columbus, Ohio
			17,550	Portland, Oregon	" "
3-24-60	6629	Frozen Vegetables	38,792	Salinas, Calif.	Dardanelle, Ark.
3-30-60	6633	Fran Fru&Vege.	34,702	Woodburn, Oregon	Nashville, Tenn.
3-29-60	6635	Fran Berr&Fish	34,560	Burlington, Wash.	Pittsburg, Kansas
			1,560	Bellingham, Wash.	" "
3-28-60	6636	Frozen Vegetables	33,020	Idaho Falls, Idaho	Ft. Smith, Ark.
3-24-60	6636A	Frozen Fruits	28,800	Traverse City, Mich.	Kansas City, Kansas
			3,200	" "	Kansas City, Mo.
3-25-60	6637	Frozen Vegetables	41,860	Modesto, Calif.	Fayetteville, Ark.
3-30-60	6638	Fran Fru&Vege.	21,478	Hillsboro, Oregon	Houston, Texas
			14,309	Woodburn, Oregon	" "
3-30-60	6638	Frozen Vegetables	35,984	Hammond, La.	Fayetteville, Ark.
4-15-60	6639	Fran Fru&Vege.	15,067	Hillsboro, Oregon	Dallas, Texas
			17,073	Portland, Oregon	" "
3-31-60	6640	Frozen Vegetables	20,889	Ontario, Oregon	Dallas, Texas
			6,166	" "	Lubbock, Texas
			12,690	" "	Amarillo, Texas
4-6-60	6642	Frozen Vegetables	16,519	Hillsboro, Oregon	Columbus, Ohio
			17,550	Portland, Oregon	" "
3-30-60	6643	Frozen Vegetables	41,255	Watsonville, Calif.	Kansas City, Mo.
3-24-60	6644	Frozen Vegetables	31,122	Omaha, Nebr.	Rogers, Ark.
3-25-60	6645	Frozen Vegetables	26,109	Ft. Smith, Ark.	Cleveland, Ohio
			2,145	" "	Solon, Ohio
3-29-60	6645	Frozen Fruits	24,265	Traverse City, Mich.	Kansas City, Mo.
			8,000	Frankfort, Mich.	" "
3-30-60	6647	Fran Fru Berr&Vege.	10,165	Modesto, Calif.	Kansas City, Mo.
			10,546	Watsonville, Calif.	Kansas City, Kansas
			12,360	" "	Kansas City, Mo.

DATE	PRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
3-28-60	6650	Frozen Vegetables	28,800	Fayetteville, Ark.	Los Angeles, Calif.
			7,200	" "	Phoenix, Arizona
4-4-60	6651	Fran Vege&Berr.	13,250	Monroe, Wash.	Smith Center, Kansas
			1,800	Burlington, Wash.	" "
			3,200	Seattle, Wash.	" "
			20,250	Ontario, Oregon	Wichita, Kansas
4-5-60	6658	Fran Vege&Berr.	16,000	Puyallup, Wash.	Wichita, Kansas
			2,100	Seattle, Wash.	" "
			15,875	Idaho Falls, Idaho	" "
3-30-60	6661	Frozen Vegetables	33,100	Omaha, Nebr.	Los Angeles, Calif.
4-5-60	6662	Fran Fru&Vege.	36,026	Hillsboro, Oregon	Springfield, Mo.
			12,800	Nampa, Idaho	Pittsburg, Kansas
3-31-60	6663	Frozen Vegetables	30,060	Ft. Smith, Ark.	Exmore, Va.
4-4-60	6663	Fran Fru Berr&Vege.	16,998	Seabrook, N.J.	Raleigh, N.C.
			7,776	" "	Norfolk, Va.
4-5-60	6663-1	Fran Vege&Berr.	33,905	Modesto, Calif.	Kansas City, Mo.
			6,300	Watsonville, Calif.	Kansas City, Kansas
4-6-60	6665	Fran Fru Berr&Vege.	3,263	San Martin, Calif.	Ft. Smith, Ark.
			7,560	" "	Kansas City, Kansas
			6,300	Santa Maria, Calif.	Ft. Smith, Ark.
			5,350	" "	Kansas City, Kansas
			5,250	Turlock, Calif.	" "
			10,500	Santa Clara, Calif.	" "
4-6-60	6666	Fran Fru&Vege.	16,703	Hillsboro, Oregon	Ft. Smith, Ark.
			22,400	Nampa, Idaho	" "
4-6-60	6668	Frozen Vegetables	6,379	Ontario, Oregon	Kansas City, Mo.
			3,825	" "	St. Joseph, Mo.
			22,990	" "	Kansas City, Kansas
			5,075	" "	Topeka, Kansas
4-4-60	6669	Frozen Vegetables	35,984	Hammond, La.	Fayetteville, Ark.
4-2-60	6670	Frozen Vegetables	35,984	Hammond, La.	Fayetteville, Ark.
4-6-60	6671	Frozen Vegetables	32,964	Caldwell, Idaho	Union, Mo.
4-6-60	6672	Frozen Vegetables	8,295	Ontario, Oregon	Tulsa, Okla.
			20,865	" "	Okla City, Okla.
			10,412	" "	Denver, Colo.
4-4-60	6673	Frozen Vegetables	23,940	Ft. Smith, Ark.	Exmore, Va.
			7,000	" "	Nashville, Tenn.
4-7-60	6674	Frozen Vegetables	31,575	Memphis, Tenn.	Portland, Oregon
4-9-60	6674	Fran Fru&Vege.	33,874	Hillsboro, Oregon	Dallas, Texas

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DATE	PRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
4-8-60	6676	Frzn Fruit&Vege.	27,467	Hillsboro, Oregon	Okla City, Okla.
			6,400	Nampa, Idaho	" "
4-9-60	6677	Frozen Vegetables	15,085	Ontario, Oregon	Kansas City, Mo.
			20,002	" "	Kansas City, Kansas
4-8-60	6680	Frozen Vegetables	35,880	Salinas, Calif.	Union, Mo.
4-9-60	6681	Frzn Fruit&Vege.	35,091	Hillsboro, Oregon	Okla City, Okla.
4-12-60	6682	Frozen Vegetables	38,003	Snohomish, Wash.	Union, Mo.
4-9-60	6684	Frzn Fruit&Berr.	27,685	Traverse City, Mich.	Kansas City, Mo.
			2,200	Lawrence, Mich.	" "
4-7-60	6684	Frozen Vegetables	12,000	Fayetteville, Ark.	Detroit, Mich.
			12,000	" "	Grand Rapids, Mich.
			6,000	" "	Indianapolis, Ind.
4-12-60	6686	Frzn Fruit&Vege.	34,752	Hillsboro, Oregon	Springfield, Mo.
				Nampa, Idaho	Pittsburg, Kansas
4-12-60	6688	Frozen Vegetables	23,844	Ontario, Oregon	Kansas City, Mo.
			9,552	" "	Salina, Kansas
			3,168	Nampa, Idaho	Kansas City, Mo.
4-12-60	6689	Frozen Vegetables	38,847	Watsonville, Calif.	Kansas City, Mo.
4-12-60	6691	Frozen Vegetables	4,125	Milton-Freewater, Ore.	Kansas City, Mo.
			4,050	Salem, Oregon	Topeka, Kansas
			700	Portland, Oregon	Kansas City, Mo.
			20,606	Ontario, Oregon	" "
			7,150	" "	Topeka, Kansas
4-8-60	6691	Frozen Vegetables	17,500	Humboldt, Tenn.	Portland, Oregon
			17,500	" "	Woodburn, Oregon
4-11-60	6694	Frozen Vegetables	30,000	Fayetteville, Ark.	Chicago, Ill.
4-11-60	6694	Frozen Vegetables	20,400	Fairmont, Minn.	Lubbock, Texas
4-15-60	6696	Frozen Vegetables	13,125	Little Rock, Ark.	Buffalo, N. Y.
			17,500	Memphis, Tenn.	" "
4-15-60	6696	Frozen Fruits	30,440	Traverse City, Mich.	Kansas City, Mo.
4-14-60	6697	Frozen Vegetables	17,667	Little Rock, Ark.	Bronx, N. Y.
			13,250	Memphis, Tenn.	" "
4-18-60	6700	Frozen Vegetables	4,200	San Martin, Calif.	Kansas City, Kansas
			7,950	" "	St. Joseph, Mo.
			10,753	" "	Lawrence, Kansas
			4,190	Santa Maria, Calif.	Kansas City, Kansas
			1,800	" "	St. Joseph, Mo.
			6,155	" "	Lawrence, Kansas
4-20-60	6702	Frzn Fruit&Vege.	28,792	Hillsboro, Oregon	San Antonio, Texas
			13,313	Woodburn, Oregon	"

DATE	PRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
4-20-60	6704	Fran VegetBerr.	4,851	Sumner, Wash.	Kansas City, Mo.
			1,400	Portland, Oregon	" "
			25,856	Salem, Oregon	" "
			3,300	Milton-Freewater, Ore.	" "
4-16-60	6705	Fran VegetBerr.	2,550	Seabrook, N. J.	Louisville, Ky.
			10,200	" "	Solon, Ohio
			7,500	" "	Toledo, Ohio
			7,300	" "	Dayton, Ohio
4-21-60	6712	Fran FrukVege.	13,967	Modesto, Calif.	Kansas City, Mo.
			8,000	Watsonville, Calif.	" "
			18,622	Sanger, Calif.	" "
4-20-60	6715	Frozen Vegetables	35,990	Snohomish, Wash.	Union, Mo.
4-23-60	6717	Frozen Vegetables	40,824	Santa Maria, Calif.	St. Joseph, Mo.
4-19-60	6718	Fran VegetBerr.	33,587	Watsonville, Calif.	Kansas City, Mo.
4-23-60	6719	Fran FrukVege.	1,416	Modesto, Calif.	Okla City, Okla.
			1,419	" "	Amarillo, Texas
			4,600	Sanger, Calif.	Okla City, Okla.
			2,260	" "	Amarillo, Texas
			16,556	Watsonville, Calif.	Okla City, Okla.
			8,688	" "	Amarillo, Texas
4-21-60	6721	Frozen Vegetables	18,000	Humboldt, Tenn.	Hillsboro, Oregon
			14,700	" "	Portland, Oregon
4-22-60	6721	Frozen Vegetables	32,000	Lewiston, Idaho	Lafayette, Ind.
4-22-60	6721	Frozen Fruits	30,400	Traverse City, Mich.	Kansas City, Mo.
4-21-60	6725	Frozen Vegetables	30,717	Kansas City, Kansas	Boise, Idaho
4-20-60	6725	Frozen Vegetables	16,000	Lewiston, Idaho	Dallas, Texas
			16,000	" "	Ft. Worth, Texas
			3,200	" "	Lubbock, Texas
4-26-60	6726	Frozen Vegetables	37,210	Snohomish, Wash.	Union, Mo.
4-21-60	6731	Frozen Vegetables	31,860	Omaha, Nebr.	Los Angeles, Calif.
4-21-60	6732	Frozen Vegetables	33,020	Idaho Falls, Idaho	Wichita, Kansas
4-23-60	6734	Frozen Vegetables	23,920	Salinas, Calif.	Union, Mo.
			10,000	Los Angeles, Calif.	" "
4-26-60	6735	Fran FrukVege.	32,513	Portland, Oregon	Dallas, Texas
4-25-60	6736	Fran VegetBerr.	5,042	Stayton, Oregon	Tulsa, Okla.
			11,813	Portland, Oregon	" "
			3,758	Weston, Oregon	" "
			16,560	Caldwell, Idaho	" "
4-27-60	6739	Frozen Vegetables	32,000	Lewiston, Idaho	Kalamazoo, Mich.

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DATE	PRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
4-23-60	6760	Frzn Vege&Berr.	9,375	Monroe, Wash.	Smith Center, Kansas
			6,300	Hillsboro, Oregon	Kansas City, Mo.
			3,175	Ontario, Oregon	Smith Center, Kansas
			18,536	" "	Kansas City, Mo.
4-25-60	6742	Frozen Vegetables	7,463	Ontario, Oregon	Tulsa, Okla.
			28,622	" "	Okla City, Okla.
4-21-60	6743	Frozen Vegetables	31,200	Fayetteville, Ark.	Carrollton, Mo.
4-25-60	6744	Frozen Vegetables	34,700	Humboldt, Tenn.	Los Angeles, Calif.
4-27-60	6747	Frzn Fru&Vege.	38,755	Hillsboro, Oregon Nampa, Idaho	Springfield, Mo. Pittsburg, Kansas
4-28-60	6750	Frozen Vegetables	11,654	Ontario, Oregon	Dallas, Texas
			10,256	" "	Lubbock, Texas
			11,126	" "	Amarillo, Texas
5-3-60	6760	Frzn Fru&Berr.	23,480	Traverse City, Mich.	Kansas City, Mo.
			2,200	Lawrence, Mich.	" "
			5,696	Frankfort, Mich.	" "
4-29-60	6761	Frozen Vegetables	12,600	Ft. Smith, Ark.	San Francisco, Calif.
4-28-60	6762	Frozen Vegetables	24,700	Ft. Smith, Ark.	Chicago, Ill.
5-3-60	6763	Frozen Berries	18,900	Burlington, Wash.	Pittsburg, Kansas
			16,200	" "	Springfield, Mo.
5-3-60	6764	Frzn Vege&Berr.	32,050	Ferndale, Wash.	Kansas City, Mo.
			9,825	Tacoma, Wash.	" "
5-5-60	6768	Frozen Berries	12,716	Denver, Colo.	Kansas City, Mo.
5-9-60	6770	Frozen Vegetables	7,542	St. James, Minn.	Smith Center, Kansas
			17,425	Fairmont, Minn.	" "
4-29-60	6775	Frozen Vegetables	18,000	Bells, Tenn.	Wichita, Kansas
			13,500	Memphis, Tenn.	" "
4-30-60	6775	Frozen Vegetables	30,000	Fairmont, Minn.	St. Louis, Mo. Kansas City, Kansas
5-4-60	6776	Frozen Vegetables	39,966	Ontario, Oregon	Kansas City, Mo.
5-3-60	6777	Frozen Vegetables	36,741	Watsonville, Calif.	Kansas City, Mo.
			1,500	Castroville, Calif.	Kansas City, Kansas
5-3-60	6780	Frozen Vegetables	32,574	Snohomish, Wash.	Union, Mo.
5-3-60	6781	Frzn Vege&Berr.	11,700	San Martin, Calif.	Kansas City, Kansas
			4,600	" "	Topeka, Kansas
			17,350	Santa Maria, Calif.	Kansas City, Kansas
			4,800	" "	Topeka, Kansas
5-3-60	6785	Frozen Vegetables	14,445	Ontario, Oregon	Kansas City, Kansas
			14,711	" "	Kansas City, Mo.
			10,840	" "	St. Joseph, Mo.

DATE	PRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
5-10-60	6787	Frozen Vegetables	36,600	Snohomish, Wash.	Union, Mo.
5-5-60	6788	Frozen Berries	4,600	Watsonville, Calif.	Kansas City, Mo.
			36,000	" "	Kansas City, Kansas
5-5-60	6790	Frozen Vegetables	31,518	Ft. Smith, Ark.	Philadelphia, Pa.
5-10-60	6790	Frzn Fruit&Berr.	20,514	Traverse City, Mich.	Okla City, Okla.
			1,100	Lawrence, Mich.	" "
			6,600	Frankfort, Mich.	" "
5-5-60	6791	Frozen Vegetables	30,929	Clayton, Delaware	Fayetteville, Ark.
5-16-60	6793-1	Frzn Fruit&Vege.	33,146	Nampa, Idaho	Paducah, Ky.
					Kansas City, Mo.
5-6-60	6794	Frozen Berries	42,600	Santa Maria, Calif.	Pittsburg, Kansas
5-9-60	6795	Frzn Vege&Berr.	36,800	Monroe, Wash.	Smith Center, Kansas
5-10-60	6796	FrznVegeBerr&Fish	7,000	Puyallup, Wash.	Kansas City, Mo.
			12,572	Seattle, Wash.	" "
			825	Sumner, Wash.	" "
			10,164	Milton-Freewater, Ore.	" "
			5,400	Salem, Oregon	" "
5-7-60	6799	Frzn Fruit&Vege.	37,609	Hillsboro, Oregon	Springfield, Mo.
				Nampa, Idaho	Pittsburg, Kansas
5-10-60	6800	Frzn Fruit&Vege.	32,263	Portland, Oregon	Okla City, Okla.
5-17-60	6808	Frozen Vegetables	39,750	Modesto, Calif.	Fayetteville, Ark.
5-10-60	6813	Frozen Vegetables	33,020	Idaho Falls, Idaho	Topeka, Kansas
5-11-60	6814	Frozen Vegetables	17,500	Memphis, Tenn.	Hillsboro, Oregon
			13,125	" "	Portland, Oregon
5-10-60	6814	Frozen Vegetables	10,438	Ontario, Oregon	Tulsa, Okla.
			29,102	" "	Okla City, Okla.
5-7-60	6816	Frzn Vege&Foods	22,763	St. James, Minn.	Smith Center, Kansas
			6,800	Fairmont, Minn.	" "
5-16-60	6817	Frozen Vegetables	33,912	Watsonville, Calif.	Kansas City, Mo.
5-11-60	6819	Frozen Vegetables	13,500	Humboldt, Tenn.	Portland, Oregon
			17,000	Memphis, Tenn.	" "
5-10-60	6819	Frozen Vegetables	9,631	Ontario, Oregon	Manhattan, Kansas
			27,634	" "	Denver, Colo.
5-14-60	6822	Frozen Vegetables	15,088	Ontario, Oregon	Kansas City, Mo.
			21,510	" "	Kansas City, Kansas
			1,588	" "	Smith Center, Kansas
5-16-60	6823	Frzn Vege&Berr.	12,780	Portland, Oregon	Tulsa, Okla.
			2,845	Ontario, Oregon	" "
			20,500	Caldwell, Idaho	" "

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DATE	PRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
5-14-60	6826	Fzn FruitVege.	34,001	Hillsboro, Oregon	Tulsa, Okla.
5-17-60	6827	Frozen Vegetables	33,001	Burlington, Wash.	Union, Mo.
5-14-60	6830	Frozen Vegetables	39,803	Modesto, Calif.	Fayetteville, Ark.
5-18-60	6831	Frozen Vegetables	12,720	Weston, Oregon	Clarksville, Ark.
			10,600	" "	Carthage, Mo.
			15,375	Caldwell, Idaho	Clarksville, Ark.
6-2-60	6832	Fzn VegetBerr.	7,060	Monroe, Wash.	St. Joseph, Mo.
			3,300	Sumner, Wash.	Kansas City, Mo.
			19,965	Milton-Freewater, Ore.	" "
			5,535	Salem, Oregon	Topeka, Kansas
5-17-60	6837	Fzn VegetFru.	18,996	Modesto, Calif.	Kansas City, Mo.
			22,154	Sanger, Calif.	" "
5-17-60	6838	Fzn FruitVege.	29,168	Hillsboro, Oregon	Pittsburg, Kansas
			8,400	Nampa, Idaho	" "
5-18-60	6839	Frozen Vegetables	37,394	Hillsboro, Oregon	Vanita Park, Mo.
				Nampa, Idaho	Springfield, Mo.
5-18-60	6843	Frozen Vegetables	10,720	Caldwell, Idaho	Jackson, Miss.
			21,600	" "	El Paso, Texas
			5,590	" "	Shreveport, La.
5-13-60	6844	Frozen Vegetables	34,000	Fairmont, Minn.	Topeka, Kansas
5-18-60	6846	Frozen Vegetables	35,000	Santa Clara, Calif.	Chicago, Ill.
5-12-60	6849	Frozen Vegetables	27,564	Council Bluffs, Iowa	Fayetteville, Ark.
5-21-60	6852	Fzn VegetBerr.	6,930	Monroe, Wash.	Smith Center, Kansas
			3,510	Salem, Oregon	Kansas City, Mo.
			6,392	Stayton, Oregon	" "
			6,856	Ontario, Oregon	" "
			5,100	" "	St. Joseph, Mo.
			8,270	" "	Kansas City, Kansas
5-24-60	6857	Fzn FruitVege.	33,702	Hillsboro, Oregon	Houston, Texas
5-25-60	6858	Fzn FruitVege.	16,896	Hillsboro, Oregon	Ft. Smith, Ark.
			20,873	Nampa, Idaho	" "
5-24-60	6859	Frozen Vegetables	33,001	Burlington, Wash.	Union, Mo.
5-18-60	6860	Frozen Vegetables	31,845	Columbus, Ga.	Ft. Smith, Ark.
5-21-60	6861	Frozen Vegetables	11,733	Ontario, Oregon	Tulsa, Okla.
			26,140	" "	Okla City, Okla.
5-21-60	6862	Fzn VegetBerr.	39,350	Salinas, Calif.	Kansas City, Kansas
			4,482	Watsonville, Calif.	" "
5-26-60	6863	Fzn FruitVege.	33,000	Portland, Oregon	Houston, Texas

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DATE	PRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
5-25-60	6864	Fran Vege&Berr.	7,370	Modesto, Calif.	Kansas City, Mo.
			16,250	Salinas, Calif.	Kansas City, Mo.
			13,063	" "	Topeka, Kansas
5-24-60	6868	Frozen Berries	42,000	Santa Maria, Calif.	Pittsburg, Kansas
5-28-60	6870	Frozen Vegetables	34,000	Fairmont, Minn.	Topeka, Kansas
5-26-60	6870	Frozen Fruits	32,800	Detroit, Mich.	Kansas City, Mo.
5-25-60	6873	Frozen Vegetables	17,500	Humboldt, Tenn.	Oakland, Calif.
			17,800	Memphis, Tenn.	" "
5-28-60	6874	Frozen Vegetables	34,138	Woodburn, Oregon	Nashville, Tenn.
5-28-60	6877	Fran Vege&Foods	13,425	St. James, Minn.	Smith Center, Kansas
			11,050	Fairmont, Minn.	" "
			13,328	" "	St. Joseph, Mo.
5-26-60	6877	Frozen Vegetables	34,000	Fairmont, Minn.	Topeka, Kansas
5-26-60	6877	Frozen Berries	9,250	Stilwell, Okla.	Cherokee, Iowa
			2,800	" "	Charlton, Iowa
			11,800	" "	Boone, Iowa
			11,200	" "	Des Moines, Iowa
5-27-60	6880	Frozen Berries	26,320	Stilwell, Okla.	Omaha, Nebr.
			5,840	" "	Grand Island, Nebr.
			4,600	" "	Lincoln, Nebr.
5-31-60	6880	Frozen Vegetables	34,000	Fairmont, Minn.	Wichita, Kansas
5-31-60	6881	Frozen Vegetables	34,170	Lewiston, Idaho	South Bend, Indiana
5-28-60	6882	Frozen Vegetables	5,727	Hillsboro, Oregon	Wichita, Kansas
			26,499	Nampa, Idaho	" "
5-26-60	6884	Frozen Vegetables	30,928	Clayton, Delaware	Fayetteville, Ark.
5-31-60	6886	Fran Vege&Berr.	19,170	Portland, Oregon	Tulsa, Okla.
			4,605	Weston, Oregon	" "
			14,400	Heyburn, Idaho	" "
5-31-60	6887	Frozen Vegetables	25,970	Weston, Oregon	Dardanelle, Ark.
			2,324	Ontario, Oregon	" "
			9,982	Caldwell, Idaho	" "
5-26-60	6889	Frozen Vegetables	31,395	Searcy, Ark.	Mt. Morris, N. Y.
5-26-60	6891-1	Frozen Vegetables	31,500	Ft. Smith, Ark.	Philadelphia, Pa.
6-2-60	6892	Frozen Vegetables	33,001	Burlington, Wash.	Union, Mo.
5-31-60	6893	Fran Fru&Vege.	38,283	Hillsboro, Oregon	Springfield, Mo.
				Nampa, Idaho	Pittsburg, Kansas

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DATE	PPC	COMMODITY	WEIGHT	ORIGIN	DESTINATION
6-2-60	6894	Frzn Vege&Berr.	6,600	Portland, Oregon	Kansas City, Mo.
			1,100	Salem, Oregon	" "
			7,020	" "	Wichita, Kansas
			4,770	Ontario, Oregon	Kansas City, Mo.
			4,763	" "	Salina, Kansas
			9,125	" "	Kansas City, Kansas
6-2-60	6895	Frzn Fru&Vege.	32,431	Portland, Oregon	Memphis, Tenn.
5-31-60	6896	Frozen Vegetables	27,788	Ontario, Oregon	St. Louis, Mo.
			5,450	" "	Mexico, Mo.
5-26-60	6897	Frozen Berries	4,700	Ft. Smith, Ark.	Waco, Texas
			3,200	" "	Sulphur Springs, Tex.
			6,000	" "	Dallas, Texas
			13,850	" "	Ft. Worth, Texas
6-6-60	6898	Frzn Fru&Vege.	13,658	Hillsboro, Oregon	Paducah, Ky.
			14,504	Nampa, Idaho	" "
6-6-60	6898	Frozen Fruits	32,000	Traverse City, Mich.	Kansas City, Mo.
6-6-60	6898	Frozen Vegetables	30,855	Memphis, Tenn.	Buffalo, N. Y.
5-28-60	6899	Frozen Berries	15,544	Stilwell, Okla.	Sioux Falls, S. D.
			10,400	" "	Logan, Iowa
			8,600	" "	Norfolk, Nebr.
5-28-60	6899	Frozen Vegetables	34,000	Fairmont, Minn.	Wichita, Kansas
6-6-60	6900	Frzn Vege&Foods	15,645	St. James, Minn.	Smith Center, Kansas
			8,298	" "	St. Joseph, Mo.
			5,100	Fairmont, Minn.	Smith Center, Kansas
6-6-60	6900	Frozen Vegetables	10,850	St. Joseph, Mo.	Kansas City, Kansas
5-28-60	6905	Frozen Vegetables	17,685	Idaho Falls, Idaho	Ft. Smith, Ark.
			15,335	" "	Topeka, Kansas
5-25-60	6906	Frzn Vege&Berr.	31,167	Ft. Smith, Ark.	Okla City, Okla.
6-6-60	6908	Frzn Fru&Vege.	36,443	Hillsboro, Oregon	Okla City, Okla.
6-2-60	6908	Frozen Berries	8,925	Salinas, Calif.	Wichita, Kansas
			21,876	" "	Smith Center, Kansas
			14,496	Watsonville, Calif.	" "
5-28-60	6911	Frzn Vege&Berr.	5,070	Ft. Smith, Ark.	Lake Charles, La.
			17,610	" "	Dallas, Texas
			7,200	" "	Houston, Texas
6-2-60	6913	Frozen Vegetables	51,735	Ontario, Oregon	Wichita, Kansas
6-1-60	6915A	Frozen Vegetables	5,952	Monroe, Wash.	St. Joseph, Mo.
			9,390	" "	Smith Center, Kansas
			3,200	Zillah, Wash.	" "
			6,800	Prylands, Wash.	" "
			3,400	" "	St. Joseph, Mo.
			11,611	Ontario, Oregon	Kansas City, Mo.
			1,688	" "	Smith Center, Kansas

DATE	PRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
6-6-60	6917	Frozen Vegetables	38,333	Ontario, Oregon	Kansas City, Mo.
6-8-60	6920	Frozen Vegetables	13,000	Seabrook, N. J.	Harahan, La.
			8,219	" "	Columbus, Ga.
			6,008	" "	Birmingham, Ala.
6-6-60	6920	Frozen Vegetables	21,096	Ft. Smith, Ark.	Philadelphia, Pa.
6-8-60	6921	Frozen Vegetables	6,400	Sumner, Wash.	Kansas City, Mo.
			27,405	Ferndale, Wash.	" "
6-7-60	6922	Frozen Vegetables	1,700	Grandview, Wash.	Springfield, Mo.
			11,900	" "	Pittsburg, Kansas
			7,552	Nampa, Idaho	Springfield, Mo.
			8,448	" "	Pittsburg, Kansas
			7,200	Twin Falls, Idaho	Pittsburg, Kansas
6-13-60	6923	Frozen Vegetables	28,182	Burlington, Wash.	Union, Mo.
			5,800	Ferndale, Wash.	" "
6-7-60	6924	Frozen Vegetables	12,617	Ontario, Oregon	St. Louis, Mo.
			19,929	" "	Hazelwood, Mo.
6-3-60	6926	Frozen Berries	32,000	Van Buren, Ark.	Cleveland, Ohio
6-3-60	6926	Frozen Fruit&Berr.	25,978	Traverse City, Mich.	Kansas City, Mo.
			4,400	Lawrence, Mich.	" "
6-6-60	6927	Frozen Vegetables	10,200	Fayetteville, Ark.	Milwaukee, Wisc.
			10,500	" "	Kansas City, Mo.
			9,000	" "	Chicago, Ill.
6-9-60	6928	Frozen Vegetables	4,762	Ontario, Oregon	Springfield, Ill.
			23,650	" "	Decatur, Ill.
			10,396	" "	Peoria, Ill.
6-11-60	6934	Frozen Vegetables	18,000	Searcy, Ark.	Hillsboro, Oregon
			14,400	" "	Woodburn, Oregon
6-11-60	6934	Fran Fruit&Vege.	33,040	Hillsboro, Oregon	Houston, Texas
6-13-60	6937	Fran Fruit&Vege.	22,500	Prosser, Wash.	Concordia, Kansas
			9,600	Ogden, Utah	Kansas City, Kansas
			4,075	Ontario, Oregon	Kansas City, Kansas
			3,175	" "	Smith Center, Kansas
6-6-60	6939	Fran Vege&Berr.	12,600	Ft. Smith, Ark.	Dallas, Texas
			12,650	" "	Okla City, Okla.
6-14-60	6940	Frozen Vegetables	30,500	Modesto, Calif.	Dardanelle, Ark.
6-13-60	6942	Fran Fruit&Vege.	34,825	Hillsboro, Oregon	Little Rock, Ark.
					Tulsa, Okla.
6-11-60	6944	Frozen Vegetables	19,200	Heyburn, Idaho	Tulsa, Okla.
			12,800	" "	Okla City, Okla.
6-10-60	6947	Frozen Vegetables	17,500	Memphis, Tenn.	Hillsboro, Oregon
			15,750	" "	Portland, Oregon

DATE	PRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
6-16-60	6948	Frozen Vegetables	17,860	Heyburn, Idaho	Dallas, Texas
6-13-60	6951	Frozen Foods	19,425	St. James, Minn.	Okla City, Okla.
			6,608	" "	St. Joseph, Mo.
			2,401	" "	Kansas City, Kansas
			4,733	" "	Kansas City, Mo.
6-13-60	6951	Fran Veget&Berr.	18,005	Stilwell, Okla.	Okla City, Okla.
			5,250	" "	Muskogee, Okla.
6-14-60	6952	Fran FrukVege.	25,616	Modesto, Calif.	Kansas City, Mo.
			10,714	Sanger, Calif.	Kansas City, Mo.
			5,400	Santa Clara, Calif.	Smith Center, Kansas
6-10-60	6953	Fran FrukVege.	39,299	Hillsboro, Oregon Nampa, Idaho	Springfield, Mo. Pittsburg, Kansas
6-11-60	6954	Frozen Vegetables	18,750	Ft. Smith, Ark.	Cleveland, Ohio
			7,875	" "	Solon, Ohio
6-11-60	6956	Fran Veget&Berr.	5,580	Modesto, Calif.	Kansas City, Mo.
			4,900	Salinas, Calif.	Hutchinson, Kansas
			13,500	" "	Topeka, Kansas
			16,000	" "	Kansas City, Mo.
6-10-60	6961	Frozen Berries	27,370	Ft. Smith, Ark.	Chicago, Ill.
6-16-60	6966	Frozen Berries	36,800	Van Buren, Ark.	Moorhead, Minn.
6-20-60	6966	Fran FrukVege.	21,751	Nampa, Idaho	Memphis, Tenn.
			11,529	" "	Vinita Park, Mo.
6-11-60	6967	Fran Veget&Berr.	12,240	Stilwell, Okla.	Houston, Texas
			30,150	" "	Austin, Texas
6-21-60	6968	Fran Veget&Berr.	25,126	Seabrook, N. J.	Denver, Colo.
6-23-60	6968	Frozen Vegetables	9,450	Ontario, Oregon	Dallas, Texas
			10,276	" "	Tulsa, Okla.
			5,081	" "	Commerce, Texas
			9,863	" "	Lubbock, Texas
			19,989	" "	Amarillo, Texas
6-15-60	6970	Fran Veget&Fru..	24,805	Kansas City, Kansas	Boise, Idaho.
6-16-60	6970	Frozen Vegetables	18,743	Ontario, Oregon	St. Louis, Mo.
			15,301	Ontario, Oregon	Hazelwood, Mo.
6-21-60	6971	Frozen Vegetables	6,975	Portland, Oregon	Tulsa, Okla.
			3,060	Weston, Oregon	" "
			9,600	Caldwell, Idaho	Okla City, Okla.
			18,560	" "	Tulsa, Okla.
6-10-60	6972	Frozen Berries	4,600	Van Buren, Ark.	Lincoln, Nebr.
			8,475	" "	Fall City, Nebr.
			24,832	" "	Crete, Nebr.
6-27-60	6976	Frozen Vegetables	1,555	Stilwell, Okla.	Longview, Texas
			13,378	" "	Durant, Okla.
			3,685	" "	Dallas, Texas
			12,925	" "	Ft. Worth, Texas

MTE	PRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
6-16-60	6976	Frozen Berries	36,850	Stilwell, Okla.	Omaha, Nebr.
6-18-60	6977	Frozen Vegetables	36,453	Ontario, Oregon	Kansas City, Mo.
6-22-60	6979	Frozen Vegetables	33,206	Burlington, Wash.	Union, Mo.
6-18-60	6982	Frozen Vegetables	29,178	Ft. Smith, Ark.	Philadelphia, Pa.
6-18-60	6982	Frozen Vegetables	31,970	Baltimore, Md.	Kansas City, Kansas
6-27-60	6983	Frozen Vegetables	14,188	Ontario, Oregon	Houston, Texas
			17,040	Ontario, Oregon	Dallas, Texas
			7,125	" "	Ft. Worth, Texas
6-21-60	6984	Frozen Berries	35,582	Portland, Oregon	Kansas City, Mo.
6-16-60	6985	Frozen Berries	33,825	Stilwell, Okla.	Sioux Falls, S. D.
6-18-60	6985	Frozen Foods	13,500	St. James, Minn.	Wichita, Kansas
			10,035	" "	Topeka, Kansas
			1,650	" "	Kansas City, Kansas
6-18-60	6986	Frozen Berries	38,400	Van Buren, Ark.	Huntington, West Va.
6-18-60	6987	Frozen Berries	26,944	Van Buren, Ark.	Harrisonburg, Va.
6-21-60	6987	Frozen Vegetables	10,825	Seabrook, N. J.	Birmingham, Ala.
			11,935	" "	Atlanta, Ga.
			5,793	" "	Rome, Ga.
6-22-60	6991	FrznFruBerr&Vege.	33,475	Watsonville, Calif.	Kansas City, Mo.
			7,200	Salinas, Calif.	Wichita, Kansas
6-25-60	6995	Frozen Vegetables	9,100	Ontario, Oregon	Kansas City, Mo.
			23,252	" "	Kansas City, Kansas
			5,425	" "	Topeka, Kansas
6-29-60	6996	Frzn Fru&Vege.	32,794	Hillsboro, Oregon	Nashville, Tenn.
6-18-60	7000	Frzn Vege&Berr.	18,771	Stilwell, Okla.	Ft. Worth, Texas
			14,850	" "	Dallas, Texas
6-29-60	7002	Frzn Vege&Berr.	19,200	Ft. Smith, Ark.	Birmingham, Ala.
6-20-60	7004	Frozen Vegetables	30,000	Fayetteville, Ark.	Chicago, Ill.
6-18-60	7005	Frzn Vege&Berr.	5,240	Ft. Smith, Ark.	Clinton, Okla.
			23,334	" "	Okla City, Okla.
7-12-60	7006	Frzn Vege&Berr.	7,925	Auburn, Wash.	Tulsa, Okla.
			1,650	Kent, Wash.	" "
			14,400	Heyburn, Idaho	" "
			5,600	" "	Okla City, Okla.
			10,080	" "	Shawnee, Okla.
7-2-60	7014	Frzn Fru&Vege.	32,108	Hillsboro, Oregon	Dallas, Texas
				Woodburn, Oregon	San Antonio, Texas
7-22-60	7016	Frozen Vegetables	13,950	Ontario, Oregon	Tulsa, Okla.
			24,350	" "	Okla City, Okla.

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DATE	FRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
7-12-60	7019	Frozen Vegetables	31,185	Ferndale, Wash.	Union, Mo.
6-29-60	7020	Frozen Vegetables	4,720	Hillsboro, Oregon	Ft. Smith, Ark.
			29,208	Nampa, Idaho	" "
6-23-60	7021	Frozen Berries	19,200	Rogers, Ark.	Philadelphia, Pa.
			9,600	" "	Lemoyne, Pa.
			3,200	" "	Charleston, W. Va.
6-25-60	7021	Fran Fru&Berr.	22,350	Traverse City, Mich.	Kansas City, Mo.
			6,400	Frankfort, Mich.	" "
			1,050	Lawrence, Mich.	" "
6-28-60	7022	Fran Fru&Vege.	39,382	Hillsboro, Oregon	Springfield, Mo.
				Nampa, Idaho	Pittsburg, Kansas
6-30-60	7024	Frozen Vegetables	11,420	Ontario, Oregon	Kansas City, Kansas
			23,813	" "	Kansas City, Mo.
6-22-60	7028	Frozen Vegetables	31,050	Omaha, Nebr.	Springdale, Ark.
7-2-60	7032	Frozen Vegetables	22,225	Ontario, Oregon	Bloomington, Indiana
			6,928	" "	Indianapolis, Indiana
			9,526	" "	Elkhart, Indiana
7-2-60	7037	Fran VegeBerr&Fish	80	Seattle, Wash.	Pittsburg, Kansas
			10,017	Burlington, Wash.	" "
			2,400	Arlington, Wash.	" "
			9,600	Caldwell, Idaho	" "
			16,000	" "	Springfield, Mo.
7-2-60	7039	Frozen Vegetables	30,928	Clayton, Delaware	Chicago, Ill.
7-2-60	7039	Frozen Vegetables	31,200	Toledo, Ohio	Springdale, Ark.
7-2-60	7040	Fran Fru&Vege.	33,182	Hillsboro, Oregon	Tulsa, Okla.
7-2-60	7041	Frozen Vegetables	25,163	Watsonville, Calif.	Columbia, Mo.
			10,800	Salinas, Calif.	Wichita, Kansas
			6,750	" "	Topeka, Kansas
7-1-60	7041A	Frozen Vegetables	30,687	Searcy, Ark.	Sharon, Pa.
				" "	Cleveland, Ohio
7-2-60	7044	Fran Vege&Berr.	17,350	Portland, Oregon	Kansas City, Mo.
			5,300	Springbrook, Oregon	" "
			15,710	Ontario, Oregon	Kansas City, Kansas
7-11-60	7047	Fran Vege&Berr.	18,250	Stayton, Oregon	Nashville, Tenn.
			7,650	Weston, Oregon	" "
			1,350	Portland, Oregon	" "
7-7-60	7048	Frozen Vegetables	16,000	Caldwell, Idaho	Tulsa, Okla.
			16,100	" "	Okla City, Okla.
7-6-60	7049	Frozen Vegetables	31,815	Nampa, Idaho	Paducah, Ky.
7-1-60	7049A	Frozen Vegetables	30,928	Clayton, Del.	Rogers, Ark.

DATE	PRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
7-7-60	7052	Frzn FrukVege.	32,103	Hillsboro, Oregon	Springfield, Mo.
				Nampa, Idaho	Pittsburg, Kansas
7-6-60	7050	Frzn VegekBerr.	4,350	San Martin, Calif.	Okla City, Okla.
			4,500	Santa Cruz, Calif.	" "
			27,100	Santa Maria, Calif.	" "
7-6-60	7054	Frozen Vegetables	24,302	Wenatchee, Wash.	Union, Mo.
			10,395	Ferndale, Wash.	" "
7-5-60	7056	Frozen Vegetables	24,500	Ontario, Oregon	Lubbock, Texas
			11,906	" "	Amarillo, Texas
6-30-60	7059	Frozen Vegetables	5,580	Ft. Smith, Ark.	Miami, Fla.
			26,190	" "	Jacksonville, Fla.
7-6-60	7061	Frozen Vegetables	29,780	Searcy, Ark.	Pittsburg, Pa.
					Canton, Ohio
7-7-60	7062	Frozen Vegetables	4,188	Modesto, Calif.	Columbia, Mo.
			28,000	Watsonville, Calif.	" "
			3,300	San Francisco, Calif.	" "
			5,400	Santa Clara, Calif.	St. Joseph, Mo.
7-7-60	7066	Frozen Vegetables	27,773	Ontario, Oregon	Wichita, Kansas
			11,079	" "	Denver, Colo.
7-6-60	7072A	Frozen Vegetables	31,125	Memphis, Tenn.	Bronx, N. Y.
7-2-60	7074	Frzn VegekFoods	6,000	St. James, Minn.	Topeka, Kansas
			21,837	" "	Kansas City, Mo.
			3,809	Fairmont, Minn.	" "
7-6-60	7075	Frozen Vegetables	34,884	Humboldt, Tenn.	Los Angeles, Calif.
7-11-60	7076A	Frozen Fruits	30,000	Clayton, Del.	Omaha, Nebr.
7-11-60	7076B	Frzn FrukBerr.	16,000	Winchester, Va.	Okla City, Okla.
			19,220	" "	Tulsa, Okla.
7-11-60	7078	Frozen Vegetables	32,050	Searcy, Ark.	Portland, Oregon
7-11-60	7083	Frozen Vegetables	9,141	Milton-Freewater, Ore.	Columbia, Mo.
			28,500	" "	Carthage, Mo.
7-11-60	7090	Frozen Vegetables	30,000	Seabrook, N. J.	Kansas City, Kansas
7-12-60	7092	Frzn VegekBerr.	33,950	Watsonville, Calif.	Kansas City, Mo.
			6,300	Salinas, Calif.	" "
7-11-60	7097	Frzn VegekBerr.	25,142	Kansas City, Kansas	Boise, Idaho
					Salt Lake City, Utah
					Pocatello, Idaho
7-12-60	7097	Frzn FrukVege.	2,850	Prosser, Wash.	St. Joseph, Mo.
			8,600	Monroe, Wash.	" "
			2,430	Ferndale, Wash.	Kansas City, Mo.
			38,210	Ontario, Oregon	" "

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DATE	PRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
7-9-60	7098	Fran FruitBerr.	28,918	Traverse City, Mich.	Kansas City, Mo.
			675	St. Joseph, Mich.	" "
7-14-60	7099	Frozen Vegetables	15,300	Memphis, Tenn.	Hillsboro, Oregon
			18,450	" "	Woodburn, Oregon
7-22-60	7099	Frozen Vegetables	38,894	Ontario, Oregon	Kansas City, Kansas
7-14-60	7100	Frozen Vegetables	15,313	Memphis, Tenn.	Hillsboro, Oregon
			15,312	" "	Woodburn, Oregon
7-16-60	7102	Fran VegetBerr.	11,903	Portland, Oregon	Tulsa, Okla.
			2,018	Weston, Oregon	" "
			24,800	Caldwell, Idaho	" "
7-20-60	7104	Fran FruitVege.	34,207	Hillsboro, Oregon	Houston, Texas
					San Antonio, Texas
7-20-60	7105	Fran FruitVege.	20,313	Hillsboro, Oregon	Shreveport, La.
			14,000	Nampa, Idaho	" "
7-19-60	7106	Frozen Berries	22,400	Kent, Wash.	Kansas City, Mo.
			15,894	Ridgefield, Wash.	" "
7-19-60	7112A	Frozen Vegetables	20,644	Ontario, Oregon	Okla City, Okla.
			19,367	" "	Denver, Colo.
7-18-60	7115A	Frozen Fruits	32,000	Decatur, Mich.	Kansas City, Kansas
7-20-60	7117	Frozen Berries	35,200	Kent, Wash.	Kansas City, Mo.
7-13-60	7119	Frozen Vegetables	31,500	Bells, Tenn.	Baltimore, Md.
7-14-60	7119	Frozen Vegetables	31,349	Seabrook, N. J.	Omaha, Nebr.
7-13-60	7122	Frozen Vegetables	5,770	Ft. Smith, Ark.	Galveston, Texas
			4,482	" "	Port Arthur, Texas
			19,832	" "	Houston, Texas
7-20-60	7126	Frozen Vegetables	32,517	Ontario, Oregon	Kansas City, Mo.
			1,353	Nampa, Idaho	" "
7-18-60	7127	Frozen Vegetables	27,600	Fayetteville, Ark.	Pittsburg, Pa.
				Ft. Smith, Ark.	Cleveland, Ohio
					St. Louis, Mo.
7-18-60	7127	Frozen Fruits	32,000	Lawrence, Mich.	St. Joseph, Mo.
7-18-60	7129	Frozen Fruits	16,000	Lawrence, Mich.	Lamar, Colo.
			16,000	" "	Wichita, Kansas
7-20-60	7132	Frozen Vegetables	26,869	Ontario, Oregon	Wichita, Kansas
			10,300	" "	Denver, Colo.
7-26-60	7136	FranFruBerrVege& Fish	33,366	Seattle, Wash.	Pueblo, Colo.
				Arlington, Wash.	
				Tacoma, Wash.	
				Twin Falls, Idaho	

DATE	PPO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
7-23-60	7137	Frzn Fruit&Vege.	33,183	Woodburn, Oregon	Dallas, Texas
7-26-60	7141	Frozen Fruits	32,000	Benton Harbor, Mich.	St. Joseph, Mo.
8-9-60	7145	Frzn Fruit&Vege.	5,660	Hillsboro, Oregon	Paducah, Ky.
			25,334	Nampa, Idaho	" "
			1,700	" "	Hazelwood, Mo.
7-23-60	7147	Frozen Vegetables	20,560	Ontario, Oregon	Okla City, Okla.
			6,413	" "	Tulsa, Okla.
			5,027	" "	Wichita, Kansas
7-22-60	7148	Frozen Berries	25,600	Rogers, Ark.	Philadelphia, Pa.
			8,400	" "	Pottsville, Pa.
7-25-60	7148	Frozen Fruits	32,000	Benton Harbor, Mich.	Smith Center, Kansas
7-27-60	7149	Frzn Vege&Berr.	20,700	Starwood, Wash.	St. Joseph, Mo.
			4,800	Weston, Oregon	Kansas City, Mo.
			3,705	Ontario, Oregon	Kansas City, Mo.
			6,213	" "	St. Joseph, Mo.
7-27-60	7150	Frzn Vege&Berr.	36,840	Stayton, Oregon	Dallas, Texas
			5,715	Weston, Oregon	" "
7-27-60	7170	Frzn Fruits&Fish	19,801	Cleveland, Ohio	Tulsa, Okla.
			8,000	Lansing, Mich.	" "
7-23-60	7152B	Frozen Fruits	36,919	Lawrence, Mich.	Kansas City, Mo.
7-23-60	7152C	Frozen Fruits	11,200	Benton Harbor, Mich.	Topeka, Kansas
			16,000	" "	Kansas City, Kansas
			4,800	" "	St. Joseph, Mo.
7-25-60	7152D	Frozen Fruits	32,000	Lawrence, Mich.	Wichita, Kansas
7-27-60	7156	Frzn Vege&Berr.	6,800	Arlington, Wash.	Dallas, Texas
			23,941	Monroe, Wash.	" "
			4,600	Stayton, Oregon	" "
7-27-60	7157	FrznFru Berr&Vege.	34,120	Watsonville, Calif.	Kansas City, Mo.
				Salinas, Calif.	
7-23-60	7170	Frozen Vegetables	21,600	Ft. Smith, Ark.	Cleveland, Ohio
8-1-60	7171	Frozen Vegetables	9,450	Ontario, Oregon	Chicago, Ill.
			18,859	" "	Burlington, Iowa
			5,775	" "	Cedar Rapids, Iowa
			1,706	" "	Laurens, Iowa
7-26-60	7172	Frozen Vegetables	38,064	Modesto, Calif.	Clarksville, Ark.
7-25-60	7175A	Frozen Fruits	32,000	Benton Harbor, Mich.	Smith Center, Kansas
7-30-60	7174	Frozen Vegetables	1,120	Stayton, Oregon	Dallas, Texas
			33,635	Weston, Oregon	" "
			2,033	Ontario, Oregon	" "
7-30-60	7175	Frzn Fru-Vege.	33,596	Hillsboro, Oregon	Nashville, Tenn.

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DATE	PHO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
8-12-60	7176	Fran Fru&Vege.	13,449	Hillsboro, Oregon	Springfield, Mo.
			18,618	Nampa, Idaho	Pittsburg, Kansas
7-30-60	7180	Fran Fru&Vege.	36,298	Hillsboro, Oregon	Dallas, Texas
8-2-60	7183	Fran Fru&Vege.	32,749	Hillsboro, Oregon	Tulsa, Okla.
8-1-60	7183A	Frozen Fruits	23,265	Traverse City, Mich.	Kansas City, Mo.
			6,400	Frankfort, Mich.	" "
			1,300	Lawrence, Mich.	" "
8-1-60	7183B	Frozen Fruits	32,000	St. Joseph, Mich.	Kansas City, Mo.
8-1-60	7183C	Frozen Fruits	32,000	Traverse City, Mich.	Kansas City, Kansas
8-1-60	7183D	Frozen Fruits	32,000	Traverse City, Mich.	Dallas, Texas
8-2-60	7184	Frozen Vegetables	25,600	Heyburn, Idaho	Tulsa, Okla.
			14,400	" "	Okla City, Okla.
8-5-60	7186	Fran Vege&Foods	5,638	St. James, Minn.	Concordia, Kansas
			11,724	" "	Smith Center, Kansas
			9,772	" "	St. Joseph, Mo.
			5,100	Fairmont, Minn.	Smith Center, Kansas
7-30-60	7188	Fran Vege&Berr.	4,840	Stayton, Oregon	Dallas, Texas
			19,195	Weston, Oregon	" "
			11,972	Ontario, Oregon	" "
8-2-60	7189	Frozen Vegetables	29,678	Ontario, Oregon	Dallas, Texas
			3,375	" "	Ft. Worth, Texas
8-8-60	7194	Frozen Berries	36,154	Modesto, Calif.	Detroit, Mich.
				Watsonville, Calif.	
8-2-60	7196	Frozen Vegetables	37,322	Ontario, Oregon	Kansas City, Mo.
8-1-60	7202	Fran Vege&Foods	26,475	St. James, Minn.	Kansas City, Mo.
			3,400	Fairmont, Minn.	St. Joseph, Mo.
8-1-60	7203	Frozen Vegetables	6,000	Hammond, La.	Minneapolis, Minn.
			6,000	" "	Hopkins, Minn.
			6,675	" "	Kansas City, Mo.
			7,089	" "	Ft. Smith, Ark.
			2,475	" "	Little Rock, Ark.
8-5-60	7204C	Frozen Fruits	32,830	Traverse City, Mich.	Okla City, Okla.
8-8-60	7206	Frozen Vegetables	6,263	Ontario, Oregon	Springfield, Ill.
			6,486	" "	Havana, Ill.
			24,925	" "	Des Moines, Iowa
8-8-60	7208	Frozen Vegetables	40,427	Watsonville, Calif.	Kansas City, Mo.
8-5-60	7209	Frozen Vegetables	13,500	Ft. Smith, Ark.	San Francisco, Calif.
8-9-60	7212	Fran Fru&Vege.	34,635	Hillsboro, Oregon	Ft. Smith, Ark.
				Nampa, Idaho	Okla City, Okla.

DATE	PRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
8-9-60	7213	Frozen Vegetables	33,182	Ontario, Oregon	Wichita, Kansas
8-9-60	7215	Frozen Vegetables	28,239	Ontario, Oregon	Denver, Colo.
8-3-60	7220	Frozen Vegetables	30,928	Clayton, Del.	Springdale, Ark.
8-10-60	7221	Fran Fruit&Vege.	32,957	Hillsboro, Oregon	Columbus, Ohio
8-9-60	7224	Fran Vege&Berr.	8,000	Ridgefield, Wash.	Kansas City, Mo.
			4,500	Gresham, Oregon	" "
			26,246	Ontario, Oregon	" "
8-5-60	7228	Fran Vege&Food	1,238	St. James, Minn.	Kansas City, Mo.
			29,750	Winnebago, Minn.	" "
8-9-60	7230	Frozen Vegetables	21,937	Ontario, Oregon	Omaha, Nebr.
			11,113	" "	Lincoln, Nebr.
8-11-60	7231	Fran Fruit&Vege.	4,744	Woodburn, Oregon	South Bend, Indiana
			28,287	Nampa, Idaho	" "
8-11-60	7231	Frozen Vegetables	34,256	Searcy, Ark.	Portland, Oregon
8-24-60	7232A	Frozen Vegetables	31,260	Hammond, La.	Buffalo, N. Y.
				Fayetteville, Ark.	Sharon, Pa.
					Erie, Pa.
8-8-60	7232B	Frozen Fruits	32,000	Traverse City, Mich.	Kansas City, Mo.
8-15-60	7236	Fran Fruit&Vege.	36,064	Hillsboro, Oregon	Houston, Texas
					San Antonio, Texas
8-18-60	7237	Fran Fruit&Vege.	31,950	Hillsboro, Oregon	Chicago, Ill.
			5,660	" "	Davenport, Iowa
8-20-60	7237	Fran Vege&Berr.	2,615	Portland, Oregon	Dallas, Texas
			14,070	Weston, Oregon	" "
			19,230	Ontario, Oregon	" "
8-16-60	7244	Fran Vege&Berr.	1,600	Sumner, Wash.	Kansas City, Mo.
			3,200	Salem, Oregon	" "
			25,291	Ontario, Oregon	" "
			8,025	" "	Kansas City, Kansas
8-12-60	7246	Frozen Vegetables	33,993	Memphis, Tenn.	Oakland, Calif.
8-11-60	7248	Frozen Vegetables	31,500	Memphis, Tenn.	Portland, Oregon
8-16-60	7248	Frozen Vegetables	32,309	Ontario, Oregon	Dallas, Texas
			8,150	" "	Lubbock, Texas
8-12-60	7249	Frozen Vegetables	34,200	Memphis, Tenn.	Hillsboro, Oregon
8-16-60	7249	Fran Fruit&Vege.	31,965	Hillsboro, Oregon	Springfield, Mo.
				Nampa, Idaho	Pittsburg, Kansas
8-10-60	7250	Frozen Vegetables	30,928	Clayton, Delaware	Springdale, Ark.
8-11-60	7254	Fran Fruit&Berr.	22,780	Traverse City, Mich.	Kansas City, Mo.
			2,200	Lawrence, Mich.	" "
			4,050	Benton Harbor, Mich.	" "

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DATE	PNO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
8-12-60	7257	Frozen Vegetables	22,770	Searcy, Ark.	Hillsboro, Oregon
			11,175	" "	Woodburn, Oregon
8-10-60	7257	Fran Fru&Vege.	33,811	Hillsboro, Oregon	East Peoria, Ill.
8-16-60	7251	Frozen Vegetables	24,715	Grandview, Wash.	Kansas City, Mo.
			8,030	" "	Pittsburg, Kansas
8-11-60	7260	Frozen Vegetables	23,385	Stilwell, Okla.	Detroit, Mich.
			2,277	" "	Lansing, Mich.
			2,829	Johnson, Ark.	Detroit, Mich.
8-20-60	7268	Frozen Vegetables	5,049	Ontario, Oregon	Greensburg, Indiana
			6,819	" "	Bedford, Indiana
			25,387	" "	Ft. Wayne, Indiana
8-20-60	7272	Frozen Berries	14,784	Puyallup, Wash.	Kansas City, Mo.
			4,800	Everett, Wash.	" "
			10,700	Ridgefield, Wash.	" "
			5,760	Portland, Oregon	" "
8-20-60	7275	Fran Vege&Berr.	6,582	Portland, Oregon	Tulsa, Okla.
			2,550	Weston, Oregon	" "
			23,200	Caldwell, Idaho	" "
			6,400	" "	Okla City, Okla.
8-24-60	7282	Fran Fru&Vege.	23,347	Hillsboro, Oregon	Indianapolis, Indiana
			11,200	Nampa, Idaho	" "
8-23-60	7283	Frozen Vegetables	8,250	Ontario, Oregon	Tulsa, Okla.
			30,480	" "	Okla City, Okla.
8-24-60	7286	Frozen Fruits	33,950	Sanger, Calif.	Kansas City, Mo.
8-24-60	7290	Frozen Vegetables	14,725	Ontario, Oregon	Dallas, Texas
			21,374	" "	Houston, Texas
8-25-60	7292	Frozen Vegetables	31,200	Milton, Delaware	Springdale, Ark.
8-24-60	7297	Frozen Vegetables	31,683	Seabrook, N. J.	Omaha, Nebr.
9-1-60	7297	FranFruBerr&Vege.	16,447	Seabrook, N. J.	Metairie, La.
			12,200	" "	Harahan, La.
8-27-60	7298	Fran Vege&Berr.	2,505	Portland, Oregon	Kansas City, Mo.
			3,375	" "	St. Joseph, Mo.
			3,825	Weston, Oregon	" "
			11,060	" "	Kansas City, Kansas
			16,200	Mt. Vernon, Wash.	St. Joseph, Mo.
8-24-60	7302	Frozen Vegetables	32,400	Memphis, Tenn.	Los Angeles, Calif.
8-30-60	7303	Frozen Vegetables	32,000	Lewiston, Idaho	Detroit, Mich.
8-26-60	7308	Frozen Vegetables	33,700	Searcy, Ark.	Hillsboro, Oregon Woodburn, Oregon
8-27-60	7308	Frozen Vegetables	9,525	Ontario, Oregon	Kansas City, Kansas
			27,296	" "	Kansas City, Mo.

DATE	PRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
8-30-60	7310	Frozen Vegetables	37,575	Grandview, Wash.	Kansas City, Mo. Manhattan, Kansas
8-30-60	7311	Fran Fru&Vege.	36,528	Hillsboro, Oregon Caldwell, Idaho	Springfield, Mo. Pittsburg, Kansas
8-27-60	7312	Frozen Vegetables	31,200	Milton, Delaware	Fayetteville, Ark.
8-30-60	7314	Frozen Vegetables	27,200 4,800 9,600	Burley, Idaho " " " "	Tulsa, Okla. Wichita, Kansas Okla City, Okla.
9-2-60	7316	Fran Fru&Vege.	10,600 3,762 11,542 17,675	Sanger, Calif. Watsonville, Calif. Modesto, Calif. Santa Cruz, Calif.	Kansas City, Mo. " " " " " "
8-26-60	7320	Frozen Vegetables	34,000	Fairmont, Minn.	Okla City, Okla.
9-2-60	7321	Fran Fru&Vege.	25,901 11,188	Hillsboro, Oregon Woodburn, Oregon	Chicago, Ill. " "
8-31-60	7322	FranFruVege&Fish	1,298 320 34,174	Monterey, Calif. Turlock, Calif. Watsonville, Calif.	Kansas City, Mo. " " " "
8-30-60	7324	Frozen Vegetables	30,929	Clayton, Delaware	Springdale, Ark.
8-30-60	7325	Frozen Vegetables	31,500	Humboldt, Tenn.	Woodburn, Oregon
8-30-60	7326	Frozen Vegetables	35,699	Little Rock, Ark.	Montezuma, Ga.
9-1-60	7326	Frozen Vegetables	10,525 24,651	Columbus, Ga. " "	Florence, Ala. Montgomery, Ala.
9-3-60	7328	Frozen Vegetables	41,600	Zillah, Wash.	Kansas City, Mo.
8-30-60	7329	Frozen Vegetables	25,725	Stilwell, Okla.	Detroit, Mich.
8-30-60	7329	Frozen Fruits	18,560 12,900	Traverse City, Mich. Frankfort, Mich.	Kansas City, Mo. " "
9-2-60	7332	Frozen Vegetables	7,492 27,814 3,175	Ontario, Oregon " " " "	Manhattan, Kansas Wichita, Kansas Dodge City, Kansas
9-3-60	7333	Frozen Vegetables	35,200	Caldwell, Idaho	Wichita, Kansas
9-3-60	7336	FranFruBerr&Vege.	29,374	Kansas City, Kansas	Pocatello, Idaho
9-3-60	7338	Frozen Fruits	35,810	Sanger, Calif.	Kansas City, Mo.
9-7-60	7339	Fran Fru&Vege.	36,327	Hillsboro, Oregon Caldwell, Idaho	Springfield, Mo. Pittsburg, Kansas
9-2-60	7342	Fran Fru&Vege.	32,925	Kansas City, Kansas	Albuquerque, N. M.
9-6-60	7343	Frozen Vegetables	15,875 17,463	Idaho Falls, Idaho	Ft. Smith, Ark. Lawrence, Kansas

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DATE	PRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
9-3-60	7347	Fran Veg&Berr.	30,880	Zillah, Wash.	Ft. Smith, Ark.
			7,280	Puyallup, Wash.	" "
9-9-60	7350	Frozen Vegetables	17,808	Burley, Idaho	Okla City, Okla.
			14,760	" "	Wichita, Kansas
			8,000	" "	Emporia, Kansas
9-9-60	7352	Frozen Vegetables	8,100	Ontario, Oregon	Dallas, Texas
			4,775	" "	Commerce, Texas
			27,510	" "	Okla City, Okla.
			405	Nampa, Idaho	" "
9-3-60	7353	Frozen Vegetables	22,059	Hammond, La.	Detroit, Mich.
			8,340	Fayetteville, Ark.	St. Louis, Mo.
					Indianapolis, Ind.
					Chicago, Ill.
9-7-60	7353	Frozen Fruits	9,375	Traverse City, Mich.	Lubbock, Texas
			8,000	" "	Dallas, Texas
			20,740	" "	Amarillo, Texas
9-2-60	7354	Frozen Vegetables	34,000	Fairmont, Minn.	Wichita, Kansas
9-9-60	7358	Frozen Vegetables	32,000	Lewiston, Idaho	Tipton, Indiana
9-9-60	7358	Fran Fruk&Berr.	25,125	Traverse City, Mich.	Kansas City, Mo.
			4,570	Lawrence, Mich.	" "
9-7-60	7359	Frozen Vegetables	17,800	Searcy, Ark.	Portland, Oregon
			16,020	" "	" "
9-7-60	7359	Frozen Vegetables	40,015	Ontario, Oregon	Kansas City, Mo.
9-6-60	7360	Frozen Vegetables	15,624	Fairmont, Minn.	Dallas, Texas
			5,700	Madelia, Minn.	Concordia, Kansas
9-6-60	7362	Frozen Vegetables	3,800	Ft. Smith, Ark.	Mobile, Ala.
			18,048	" "	Birmingham, Ala.
9-3-60	7365	Frozen Vegetables	21,284	Ft. Smith, Ark.	Nashville, Tenn.
9-9-60	7367	Frozen Vegetables	32,500	Little Rock, Ark.	Seabrook, N. J.
9-21-60	7367	Frozen Vegetables	40,150	Seabrook, N. J.	Fullerton, Calif.
9-9-60	7370	Frozen Vegetables	30,928	Clayton, Del.	Springdale, Ark.
9-21-60	7372	Fran Fruk&Vege.	33,094	Hillsboro, Oregon	Nashville, Tenn.
9-14-60	7373	Fran Fruk&Vege.	15,250	Woodburn, Oregon	Vinita Park, Mo.
			20,716	" "	Hutchinson, Kansas
9-14-60	7373	Frozen Vegetables	37,050	Fairmont, Minn.	Springdale, Ark.
9-9-60	7375	Frozen Vegetables	31,737	Little Rock, Ark.	Seabrook, N. J.
9-12-60	7375	Frozen Vegetables	30,928	Clayton, Del.	Omaha, Nebr.

DATE	PRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
9-16-60	7375	Frozen Vegetables	31,200	Milton, Del.	Fayetteville, Ark.
9-13-60	7378	Frozen Vegetables	36,993	Fairmont, Minn.	Springdale, Ark.
9-13-60	7381	Fran Fruit&Vege.	36,681	Hillsboro, Oregon Caldwell, Idaho	Springfield, Mo. Pittsburg, Kansas
9-10-60	7382	Frozen Vegetables	36,960	Fairmont, Minn.	Springdale, Ark.
9-14-60	7383	Frozen Vegetables	13,600 19,200	Caldwell, Idaho " "	Paducah, Ky. St. Louis, Mo.
9-14-60	7383	Frozen Vegetables	37,620	Fairmont, Minn.	Springdale, Ark.
9-26-60	7383B	Fran Vege&Fish	7,663 20,500 4,629 4,288	Ontario, Oregon " " " " Buhl, Idaho	Kansas City, Mo. Kansas City, Kansas Topeka, Kansas Kansas City, Mo.
9-21-60	7387	Frozen Vegetables	36,824	Nampa, Idaho	Lexington, Ky.
9-20-60	7389	Frozen Vegetables	10,914 23,800	Walla Walla, Wash. " "	Springfield, Mo. Pittsburg, Kansas
9-12-60	7390	Frozen Vegetables	1,900	Ft. Smith, Ark.	San Francisco, Calif.
9-16-60	7393	Frozen Vegetables	41,275	Watsonville, Calif.	Kansas City, Mo.
9-16-60	7393	Frozen Vegetables	32,661	Fairmont, Minn.	Springdale, Ark.
9-12-60	7394	Frozen Vegetables	36,600	Watsonville, Calif.	Carthage, Mo.
9-16-60	7395	Frozen Vegetables	36,993	Fairmont, Minn.	Springdale, Ark.
9-10-60	7396	Frozen Berries	16,000	Ft. Worth, Texas	St. James, Minn.
9-12-60	7396	Frozen Fruit&Vege.	28,077 7,650	Fairmont, Minn. " "	Kansas City, Mo. Smith Center, Kansas
9-10-60	7397	Frozen Vegetables	36,344	Fairmont, Minn.	Springdale, Ark.
9-16-60	7399	Frozen Vegetables	20,875 12,313	Hillsboro, Oregon Woodburn, Oregon	Wichita, Kansas " "
9-20-60	7401	Fran Fruit&Vege.	14,028 21,807	Hillsboro, Oregon Woodburn, Oregon	Dallas, Texas " "
9-19-60	7406	Fran Fruit&Vege.	5,661 11,375 5,623 12,800	Woodburn, Oregon " " Hillsboro, Oregon Caldwell, Idaho	Springfield, Ill. Peoria, Ill. Springfield, Ill. " "
10-3-60	7407	Fran Fruit&Vege.	33,204	Hillsboro, Oregon Nampa, Idaho	Springfield, Mo. Pittsburg, Kansas
9-16-60	7408	Frozen Vegetables	37,050	Fairmont, Minn.	Springdale, Ark.

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DATE	PRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
9-19-60	7413	Frozen Vegetables	38,270	Searcy, Ark.	Woodburn, Oregon
9-22-60	7413	Fran Fru&Vege.	38,065	Woodburn, Oregon	Houston, Texas
9-16-60	7414	Frozen Vegetables	33,820	Searcy, Ark.	Hillsboro, Oregon
9-20-60	7414	Fran Fru&Vege.	25,463 11,200	Hillsboro, Oregon Caldwell, Idaho	South Bend, Ind. " "
9-16-60	7415	Frozen Vegetables	37,050	Fairmont, Minn.	Springdale, Ark.
9-21-60	7416	FranFruBerr&Vege.	29,139 3,820	Watsonville, Calif. Sanger, Calif.	Little Rock, Ark. " "
9-16-60	7417	Frozen Vegetables	32,300	Fairmont, Minn.	St. Joseph, Mo.
9-23-60	7418	Frozen Vegetables	31,179	Fairmont, Minn.	York, Nebr.
9-21-60	7421	Fran Fru&Vege.	11,450 22,663 3,400	Modesto, Calif. Watsonville, Calif. Turlock, Calif.	Kansas City, Mo. " " " "
9-21-60	7429	Frozen Vegetables	16,275 4,478 19,476	Ontario, Oregon " " " "	Wichita, Kansas Casper, Wyoming Denver, Colo.
9-21-60	7421	Frozen Vegetables	37,905	Fairmont, Minn.	York, Nebr.
9-20-60	7423	Frozen Vegetables	32,600	Hammond, La.	Rochester, New York Buffalo, New York Sharon, Pa. Cleveland, Ohio
9-20-60	7423	Frozen Berries	37,392	Detroit, Mich.	Chickasha, Okla.
9-19-60	7427	Frozen Vegetables	31,652	Searcy, Ark.	Portland, Oregon Denver, Colo.
9-22-60	7427	Fran Fru&Vege.	18,803 14,600	Woodburn, Oregon Caldwell, Idaho	Evansville, Ind. " "
9-21-60	7428-1	Frozen Vege.	31,050	Hammond, La.	Chicago, Ill. Louisville, Ky.
9-21-60	7428-1	Frozen Fruits	31,800	Traverse City, Mich.	Kansas City, Kansas
9-22-60	7428-1	Fran Vege.	32,604	Fairmont, Minn.	Springdale, Ark.
9-16-60	7432	Frozen Vegetables	32,180	Fairmont, Minn.	Kansas City, Mo.
10-3-60	7434	Frozen Vegetables	12,600 22,050	Snohomish, Wash. Yakima, Wash.	Brunswick, Ga. " "
10-3-60	7434	Frozen Vege&Berr.	3,553 4,450 12,863 8,585	Columbus, Ga. " " " " " "	Little Rock, Ark. Memphis, Tenn. Birmingham, Ala. York, Ala.

DATE	PRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
10-4-60	7434	Frozen Vegetables	37,981	Searcy, Ark.	Fayetteville, Ark.
9-19-60	7437	Frozen Vegetables	37,905	Fairmont, Minn.	York, Nebr.
9-21-60	7439	Frozen Vegetables	32,286	Searcy, Ark.	New York, N. Y.
9-26-60	7439	Frozen Vegetables	31,683	Seabrook, N. J.	Omaha, Nebr.
9-29-60	7443	Fran Fruit&Berr.	29,400 145	Traverse City, Mich. Lawrence, Mich.	Kansas City, Mo. " "
9-23-60	7443	Frozen Berries	37,248	Detroit, Mich.	Greencastle, Pa.
9-26-60	7443	Frozen Berries	37,248	Detroit, Mich.	Greencastle, Pa.
9-29-60	7443	Frozen Vegetables	31,179	Fairmont, Minn.	York, Nebr.
9-29-60	7443	Frozen Vegetables	39,000	Kansas City, Kansas	Springdale, Ark.
9-21-60	7444	Frozen Vegetables	30,788	Memphis, Tenn. Searcy, Ark.	Oakland, Calif. San Jose, Calif.
9-26-60	7444	Frozen Vegetables	10,078 24,099 5,300	Ontario, Oregon " " " "	Tulsa, Okla. Okla City, Okla. Hobart, Okla.
9-26-60	7445	Frozen Vegetables	22,400 6,400	Caldwell, Idaho " "	Paducah, Ky. Evansville, Ind.
9-27-60	7446	Frozen Vegetables	2,400 4,067 3,244 28,800	Albany, Oregon Ontario, Oregon " " " "	Smith Center, Kansas " " Kansas City, Mo. Kansas City, Kansas
9-24-60	7447	Frozen Vegetables	37,125	Fairmont, Minn.	Dallas, Texas
9-24-60	7447	Frozen Vegetables	37,905	Fairmont, Minn.	York, Nebr.
9-24-60	7449	Frozen Vegetables	22,144 16,000	Heyburn, Idaho " "	Tulsa, Okla. Okla City, Okla.
9-23-60	7452	Frozen Vegetables	15,028	Carthage, Mo.	Eugene, Oregon
9-22-60	7453	Frozen Vegetables	31,078	Stilwell, Okla.	Montezuma, Ga.
9-22-60	7453	Frozen Vegetables	16,970 1,545 2,984	Columbus, Ga. " " " "	Houston, Texas Waveland, Miss. Marianna, Fla.
9-23-60	7454	Frozen Vegetables	28,800	Fayetteville, Ark.	Birmingham, Ala.
9-28-60	7454	Frozen Vegetables	29,262	Hammond, La.	Knoxville, Tenn. Little Rock, Ark. Memphis, Tenn. Knoxville, Tenn.
10-3-60	7454	Frozen Vegetables	31,500	Memphis, Tenn.	Bronx, New York

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DATE	FRC	COMMODITY	WEIGHT	ORIGIN	DESTINATION
10-3-60	7454	Frozen Vegetables	12,600	Seabrook, N. J.	Kansas City, Kansas
			17,570	" "	Milan, Ill.
9-30-60	7457	Frozen Vegetables	23,200	Caldwell, Idaho	Austin, Texas
			4,000	" "	Lubbock, Texas
			9,440	" "	Abilene, Texas
10-1-60	7458	Frozen Vegetables	11,505	Ontario, Oregon	Oakland, Calif.
			25,288	" "	Sacramento, Calif.
10-4-60	7458	Frozen Vegetables	40,290	Ontario, Oregon	Dallas, Texas
9-28-60	7459	Frzn FruitVege.	32,851	Hillsboro, Oregon	Memphis, Tenn.
					Little Rock, Ark.
9-28-60	7459	Frozen Vegetables	17,800	Searcy, Ark.	Hillsboro, Oregon
			17,800	" "	Woodburn, Oregon
9-28-60	7460	Frozen Vegetables	42,558	Watsonville, Calif.	Kansas City, Mo.
9-28-60	7460	Frozen Vegetables	39,000	Kansas City, Kansas	Springdale, Ark.
10-3-60	7464	Frozen Vegetables	6,012	Hammond, La.	St. Louis, Mo.
9-26-60	7466	Frozen Vegetables	31,179	Fairmont, Minn.	York, Nebr.
9-28-60	7467	Frozen Vegetables	35,600	Searcy, Ark.	Portland, Oregon
10-3-60	7468	Frozen Vegetables	10,213	Ontario, Oregon	Hazelwood, Mo.
			26,434	" "	St. Louis, Mo.
10-4-60	7469-1	Frzn FruitVege.	34,083	Hillsboro, Oregon	Houston, Texas
			2,698	Woodburn, Oregon	" "
9-29-60	7471	Frozen Vegetables	31,500	Memphis, Tenn.	Baltimore, Md.
9-29-60	7471	Frozen Vegetables	31,200	Seabrook, N. J.	Omaha, Nebr.
10-4-60	7473	Frzn VegetBerr.	35,025	Grandview, Wash.	Springfield, Mo.
					Pittsburg, Kansas
10-1-60	7478	Frozen Vegetables	8,100	Ontario, Oregon	Ft. Worth, Texas
			30,625	" "	Dallas, Texas
9-30-60	7467	Frozen Vegetables	16,176	Hillsboro, Oregon	Ft. Smith, Ark.
			22,400	Caldwell, Idaho	" "
10-4-60	7477	Frozen Vegetables	16,533	Hillsboro, Oregon	Springfield, Ill.
			13,100	Walla Walla, Wash.	" "
			5,591	Nampa, Idaho	" "
10-4-60	7479	Frozen Vegetables	4,161	Hillsboro, Oregon	Paducah, Ky.
			5,662	Woodburn, Oregon	" "
			4,375	" "	Vinita Park, Mo.
			22,400	Caldwell, Idaho	Paducah, Ky.
10-4-60	7480	Frozen Berries	37,248	Detroit, Mich.	Greencastle, Pa.

DATE	PRO	COMMODITY	WEIGHT	ORIGIN	DESTINATION
10-3-60	7480	Fran FruitBerr.	1,450	Traverse City, Mich.	Kansas City, Mo.
			5,950	Frankfort, Mich.	" "
			19,414	Lawrence, Mich.	" "
10-4-60	7482	Fran FruitVege.	33,071	Hillsboro, Oregon Caldwell, Idaho	Springfield, Mo. Pittsburg, Kansas
10-10-60	7490	Fran VegetBerr.	11,200	Portland, Oregon	Tulsa, Okla.
			1,300	" "	Okla City, Okla.
			2,550	Weston, Oregon	Tulsa, Okla.
			4,248	Caldwell, Idaho	Okla City, Okla.
			17,600	" "	Tulsa, Okla.
10-3-60	7491	Fran FruitBerr.	29,543	Traverse City, Mich.	Okla City, Okla.
			2,200	Frankfort, Mich.	" "
10-10-60	7495	Frozen Vegetables	32,157	Memphis, Tenn.	Oakland, Calif. Los Angeles, Calif.
10-10-60	7500	Frozen Vegetables	20,000	Columbus, Ga.	Albuquerque, N. M.
			6,493	" "	Waco, Texas
10-6-60	7502	Frozen Vegetables	4,800	Columbus, Ga.	Ft. Worth, Texas
			7,800	" "	Dallas, Texas
			5,550	" "	Memphis, Tenn.
10-10-60	7503	Frozen Vegetables	33,993	Kansas City, Kansas	Boise, Idaho Rapid City, S. D. Scotts Bluff, Nebr. Salt Lake City, Utah
10-6-60	7506	Frozen Vegetables	32,400	Memphis, Tenn.	Los Angeles, Calif.
10-10-60	7507	Frozen Vegetables	38,084	Watsonville, Calif.	Kansas City, Mo.
10-11-60	7510	Frozen Vegetables	18,712	Searcy, Ark.	Hillsboro, Oregon
			18,735	" "	Portland, Oregon
10-13-60	7510	Fran FruitVege.	24,558	Hillsboro, Oregon	Columbus, Ohio
			9,445	Portland, Oregon	" "
10-13-60	7510	Frozen Fruits	32,000	Traverse City, Mich.	Kansas City, Mo.
10-6-60	7511	Frozen Vegetables	7,855	Fayetteville, Ark.	Dallas, Texas
10-11-60	7511B	Frozen Fruits	11,763	Traverse City, Mich.	Lubbock, Texas
			6,575	" "	Amarillo, Texas
			10,200	" "	Dallas, Texas
10-11-60	7513	Frozen Vegetables	5,760	Ontario, Oregon	Northridge, Calif.
			20,500	" "	Los Angeles, Calif.
			14,022	" "	Glendale, Calif.
10-4-60	7515	Frozen Vegetables	38,014	Searcy, Ark.	Fayetteville, Ark.
10-10-60	7515-1	Fran Vegetables	27,000	Stilwell, Okla.	Seabrook, N. J.
10-10-60	7515-1	Fran Vegetables	31,150	Seabrook, N. J.	Kansas City, Kansas

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DATE	PRC	COMMODITY	WEIGHT	ORIGIN	DESTINATION
10-17-60	7518	Fran Vege&Berr.	26,932	Arlington, Wash.	Pittsburg, Kansas
			15,200	Grandview, Wash.	" "
10-11-60	7522	Frozen Vegetables	9,000	Memphis, Tenn.	Baltimore, Md.
			22,689	Belle, Tenn.	" "
10-11-60	7522	Frozen Vegetables	28,833	Seabrook, N. J.	Kansas City, Kansas
10-11-60	7526	Frozen Vegetables	12,908	Ontario, Oregon	Wichita, Kansas
			25,683	" "	Denver, Colo.
10-19-60	7534	Frozen Vegetables	22,303	Ontario, Oregon	San Diego, Calif.
			17,682	" "	Los Angeles, Calif.
10-18-60	7536	Fran Vege&Berr.	22,605	Arlington, Wash.	Okla City, Okla.
			8,500	" "	Ft. Smith, Ark.
			6,750	Seattle, Wash.	Okla City, Okla.
10-19-60	7537	Fran Fru&Vege.	33,247	Hillsboro, Oregon	Des Moines, Iowa
					Omaha, Nebr.
10-20-60	7539	Frozen Vegetables	4,667	Ontario, Oregon	Kansas City, Kansas
			27,248	" "	Kansas City, Mo.
			7,400	" "	St. Joseph, Mo.
10-15-60	7540-1	Fran Vegetables	6,000	Hammond, La.	Minneapolis, Minn.
			7,200	" "	Hopkins, Minn.
			1,800	" "	Des Moines, Iowa
			12,600	" "	Kansas City, Mo.
			3,600	" "	Wichita, Kansas
10-18-60	7542	Frozen Vegetables	38,350	Burlington, Wash.	Kansas City, Mo.
10-19-60	7544	Fran Fru&Vege.	37,462	Hillsboro, Oregon	Springfield, Mo.
				Caldwell, Idaho	Pittsburg, Kansas
10-18-60	7545	Frozen Vegetables	35,872	Wenatchee, Wash.	Dardanelle, Ark.
				Caldwell, Idaho	
				Heyburn, Idaho	
10-14-60	7546	Frozen Vegetables	2,050	Columbus, Ga.	Little Rock, Ark.
			21,620	" "	Memphis, Tenn.
10-13-60	7547	Frozen Vegetables	33,000	Fairmont, Minn.	Kansas City, Mo.
10-17-60	7548	Frozen Vegetables	31,500	Seabrook, N. J.	Omaha, Nebr.
10-19-60	7549	Frozen Vegetables	36,800	Caldwell, Idaho	Houston, Texas
10-19-60	7550	Frozen Vegetables	3,441	Ontario, Oregon	Tulsa, Okla.
			19,200	Caldwell, Idaho	" "
			16,000	" "	Okla City, Okla.
10-19-60	7553	Fran Fru&Vege.	7,200	Modesto, Calif.	Kansas City, Mo.
			26,424	Watsonville, Calif.	" "
			4,450	Sanger, Calif.	" "
10-19-60	7558-1	FranFruBerr&Vege	37,000	Seabrook, N. J.	Denver, Colo.
10-17-60	7561	Frozen Vegetables	31,200	Fayetteville, Ark.	Carrollton, Mo.
10-20-60	7570	Frozen Vegetables	30,350	Stilwell, Okla.	Kansas City, Kansas
10-19-60	7576	Frozen Berries	17,500	Muskogee, Okla.	Norfolk, Nebr.
			17,220	" "	Omaha, Nebr.

[fol. 526]

BEFORE THE INTERSTATE COMMERCE COMMISSION

NOTICE TO THE PARTIES—Served May 4, 1961

Exceptions, if any, must be filed with the Secretary, Interstate Commerce Commission, Washington, D. C., and served on all other parties in interest, within 35 days from the date of service shown above, or within such further period as may be authorized for the filing of exceptions. At the expiration of the period for filing of exceptions, the attached order will become the order of the Commission and will become effective unless exceptions are filed seasonably or the order is stayed or postponed by the Commission. To be seasonably filed, exceptions must reach the Commission on or before the date they are due. If exceptions are filed, replies thereto may be filed within 25 days after the final date for filing exceptions. The stated specific time periods apply to all parties and give full effect to Rule 1.21(c) of the General Rules of practice to the extent, if any, the provision of such rule otherwise would be applicable to this proceeding.

The certificate or permit will not be issued until the applicant has complied with the provisions of the Interstate Commerce Act and the requirements of the Commission thereunder. It should not be assumed that the recommended order has become effective as the order of the Commission until a notice to that effect, signed by the Secretary of the Commission, has been received.

No. MC-117119 (Sub-No. 2)

WILLIS SHAW FROZEN EXPRESS, INC., COMMON CARRIER "GRANDFATHER" APPLICATION

Decided .....

Applicant found entitled to a certificate under the "grandfather" provision of Section 7(c) of the Transportation Act of 1958 authorizing operation as a motor common

carrier of specified commodities from and to points in a number of States. Issuance of a certificate recommended upon compliance by applicant with certain conditions, and application denied in certain respects.

A. Alvis Layne, Jr., and John H. Joyce for applicant.
Charles L. Ford, Jr., Earl J. Brooks, and Hugh T. Matthews for protestants.

[fol. 527] No. MC-117119 (Sub-No. 2)

REPORT AND ORDER

Recommended by William J. Cave, Hearing Examiner

By application filed December 5, 1958, Willis Shaw Frozen Express, Inc., of Elm Springs, Ark., seeks[1] a certificate under the "grandfather" proviso of Section 7(c) of the Transportation Act of 1958, authorizing operation, in interstate or foreign commerce, as a common carrier by motor vehicle, of frozen fruits, frozen berries, frozen vegetables, frozen poultry, frozen poultry parts, frozen fish and other frozen seafood, including seafood pies, meals, and dinners, from and to points in Alabama, Arizona, Arkansas, California, Colorado, Delaware, Florida, Georgia, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Jersey, New Mexico, New York, Oklahoma, Oregon, Ohio, Pennsylvania, Tennessee, Texas, Utah, Virginia, Washington and Wisconsin, over irregular routes.

The application was referred to the examiner for hearing and the recommendation of an appropriate order thereon accompanied by the reasons therefor. Hearing was held as scheduled on October 24, 1960, at Dallas, Tex. Class I Rail Carriers in the Western District, The Texas Railroad Association, and a number of motor carriers and railroads oppose the application.

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[1] The notice of the application as published in the Federal Register on February 4, 1959, did not reveal that applicant is seeking authority to transport frozen poultry, frozen poultry parts, frozen fish and other frozen seafood, including seafood pies, meals, and dinners.

Applicant is an Arkansas corporation and has been operating as a motor common carrier of property for several years. It is successor in interest to a motor carrier business initially instituted by Willis D. Shaw in 1938 and later performed by Willis D. Shaw and Ellis Bogen, a partnership, doing business as Willis Shaw Produce Co. Prior to 1948 the motor carrier business of Willis Shaw was restricted to the transportation of fresh fruits and vegetables and live poultry. Beginning in 1948 the partnership transported frozen fruits, frozen berries, frozen vegetables, frozen poultry, and frozen fish in addition to the other commodities named above. A certificate No. MC-117119, issued to applicant's predecessor on June 2, 1958, authorizing the transportation of frozen poultry and frozen foods from points in a territory in Arkansas to points in Arizona, California, Colorado, Idaho, Nevada, New Mexico, Oregon, and Washington was reissued to the applicant herein on February 4, 1959 subsequent to the approval, in No. MC-FC-61586-A, of the substitution of applicant as the purchaser of the operating rights of the partnership.

Applicant's president testified in support of the application and, in addition, he submitted abstracts of applicant's records of transportation performed on, prior, and subsequent to May 1, 1958. The abstracts referred to cover ship-[fol. 528] ments transported from May 3, 1954 through October 20, 1960, and they show service from and to points in many States most of which are west of the Mississippi River. Prior to October 1957 applicant's predecessors transported some shipments as a private carrier. One of the protestants contends that the evidence reveals that 24.77 percent of all shipments transported by applicant's predecessors between May 3, 1954, and September 30, 1957, moved in private carriage, whereas applicant submits that the underlying documents in support of the abstracts of its records shows that only 8.4 percent moved in private carriage. However, the disagreement in respect of the extent of the private carriage is relatively unimportant because (a) the parties agree that no private carriage is shown to have been performed subsequent to September 30, 1957, and (b) a determination of applicant's grandfather operating rights can be made largely on the basis of operations

shown to have been conducted continuously since October 1, 1957.

Although applicant is seeking authority to operate between points in 35 States in the performance of a nonradial cross-haul service, the documentary evidence of service rendered both prior and subsequent to May 1, 1958 reveals that applicant's operations as well as those of its predecessors have been radial in character and generally have extended (1) from base areas or points in California, Idaho, Oregon, and Washington to a territory within or immediately adjacent to Nebraska, Iowa, Illinois, Kansas, Missouri, Oklahoma, Arkansas, and Texas, (2) from points in a base area in Arkansas to points in California, Oregon, Illinois, Michigan, Missouri, and Texas, (3) from points in a base area in Minnesota on and south of U. S. Highway 14 to Omaha, Nebr., and to points in an area embracing the States of Arkansas, Kansas, Missouri, and Oklahoma, (4) from points in the Lower Peninsula of Michigan to Omaha, Nebr., and points in a territory embracing Kansas, Missouri, and Oklahoma, (5) from Kansas City, Kans., Kansas City, Mo., Omaha, Nebr., and Oklahoma City, Okla., to points in California and Oregon, (6) from Omaha to points in Arkansas, and (7) from Chicago, Ill., to Kansas City, Mo.

The following named points are the principal points representative of the territories served by applicant and its predecessors. The West Coast points are: Modesto, Santa Maria, Sanger, Watsonville, Patterson, Santa Clara, San Jose, Santa Cruz, Salinas, Santa Barbara, Los Angeles, Oxnard, San Francisco, Sunnyvale, Fresno, Yuba City, Sacramento, Soquel, Manteca, Oakland, Paramount, Atascadero, Stockton, Hollister, Mt. View, San Martin, Turlock, Castroville, and Monterey, Calif.; Ontario, Albany, Salem, Hillsboro, Portland, Weston, Milton-Freewater, Sherwood, Woodburn, Tigard, Pendleton, Gresham, Astoria, Stayton, and West Salem, Oreg.; Snohomish, Arlington, Tacoma, Puyallup, Prosser, Yakima, Monroe, Sumner, Ridgefield, Vancouver, Burlington, Kent, Zillah, Seattle, Auburn, Wenatchee, Everett, Mr. Vernon, Stanwood, Olympia, Bellingham, Chehalis, Walla Walla, Ferndale, Frylands, and Grandview, Wash.; and Caldwell, Nampa, Bur-

ley, Idaho Falls, Twin Falls, and Boise, Idaho. The principal points in Michigan and Minnesota are: Frankfort, Traverse City, Lawrence, Hart, Luddington, Paw Paw, Detroit, North Port, Benton Harbor, Beulah, Eau Claire, Muskegon, Decatur, and St. Joseph, Mich.; and Fairmont, [fol. 529] Waseca, Winnebago, Hopkins, and St. James, Minn. Points in Midwest territory are: Oklahoma City, Tulsa, Stillwell, and Muskogee, Okla.; Kansas City, Carthage, St. Joseph, St. Louis, Springfield, and Mexico, Mo.; Hutchinson, Topeka, Kansas City, Salina, Wichita, Pittsburg, Meade, and Smith Center, Kans.; Omaha, Hastings, Lincoln, Fairbury, Grand Island, and York, Nebr.; Davenport, Burlington, Des Moines, Sioux City, Cherokee, Booen, Chariton, Cedar Rapids, Waterloo, and Laurens, Iowa; Chicago, Waukegon, Wheaton, Milan, Decatur, Springfield, Illiopolis, Galesburg, Peoria, East Peoria, Macomb, and Havana, Ill.; Ft. Smith, Springdale, Little Rock, Van Buren, Search, Fayetteville, Rogers, and Clarksville, Ark.; and Dallas, Fort Worth, Houston, San Antonio, Amarillo, Lubbock, Commerce, Waco, and El Paso, Tex.

Several of the States covered by the application, including Louisiana, Indiana, and Tennessee were served by applicant or its predecessor with some consistency subsequent to 1958, but prior to 1959 there was no service to or from points in those States or the service rendered was so infrequent and sporadic as not to warrant a finding of bona fide operations from or to points in such States. As hereinbefore indicated, applicant and its predecessor have been transporting certain so-called "exempt" commodities and applicant is seeking authority to continue transporting such commodities when moving in the same vehicle with frozen fruits, frozen berries, or frozen vegetables. However, the only so-called exempt commodity shown to have been transported at the same time and in the same vehicle with frozen fruits, berries, and vegetables is frozen fish, which moved from certain points in California, Oregon, Washington, and Idaho, to points in Arkansas, Illinois, Iowa, Kansas, Missouri, Oklahoma, and Texas.

An applicant for authority under Section 7(c) of the Transportation Act of 1958 has the burden of establishing

that it was in *bona fide* operation on May 1, 1958 in the transportation of the commodities from and to the points covered by its application, and that it has so operated since that time except as to interruptions in service over which it had no control. The term *bona fide* operation as used in the statute has been construed by the Interstate Commerce Commission and the Supreme Court to mean actual rather than potential or similated service and an operation wherein there has been some consistency in the performance of a service as distinguished from an incidental, sporadic, or infrequent service. It would be difficult, if not impossible, to make and adhere to an inflexible rule as to the showing required to establish a bona fide operation within the meaning of the statute. For instance, there arises, as in the instant case, the question whether an applicant seeking authority under the "grandfather" proviso of the act should be granted authority to serve all points within the origin and destination areas shown to have been served or to serve only the specific points at which service has been rendered. In resolving this issue consideration must be given to the nature or characteristics of the service being performed, to the commodity or commodities transported, to the territorial pattern of distribution of the commodities, and to the shifting, if any, of the origin and destination points served.

[fol. 530] In support of its claimed right of authority to serve both origins and destinations on a State-wide basis, the applicant herein presented evidence of the fact that points served in the transportation of frozen fruits, berries, and vegetables may shift from one point or area to another because shippers establish new processing plants and utilize different cold storage plants. While not specifically so stated of record it would appear that adverse elements affecting production in one or more normal producing areas would have a considerable bearing on the ability of a carrier to continue to provide a needed service if the carrier did not hold the flexible territorial authority necessary under such circumstances.

Considering the class of commodities transported, the class of shippers served, and the character of service which applicant has rendered, the examiner is of the opinion that

applicant should be granted flexible State-wide authority to the extent described in the findings herein. Compare *Fleming Common Carrier Application,* 8 M.C.C. 469.

In view of the fact that applicant holds a certificate authorizing the transportation of frozen foods from Little Rock, Ark., and points in that part of Arkansas on, north, and west of a line beginning at the Arkansas-Oklahoma State line near Fort Smith and extending along Arkansas Highway 22 to Dardanelle, Ark., thence northward along Arkansas Highway 7 to Harrison, Ark., and thence along U. S. Highway 65 to the Arkansas-Missouri State line, to points in Arizona, California, Colorado, Idaho, Nevada, New Mexico, Oregon, and Washington, there will be no recommendation that applicant be granted duplicating authority from and to those points.

The only remaining matter requiring discussion is the question in respect of the propriety of finding that an applicant seeking authority under Section 7(c) of the Transportation Act of 1958 may be granted authority to transport certain so-called exempt commodities in the same vehicle with frozen vegetables, fruits, and berries. As hereinbefore indicated, applicant has been transporting frozen fish in the same vehicle with the other commodities named and it desires to continue to so operate. This question was a matter at issue in *Lewis Common Carrier Application,* 82 M.C.C. 755, wherein the Commission, Division 1, found that in a case where an applicant under the "grandfather" proviso of Section 7(c) has been transporting frozen fish or other so-called "exempt commodities" in the same vehicle and at the same time with frozen fruits, frozen berries, and frozen vegetables, and had made appropriate application for authority to continue to so operate, it is consistent with the applicable provisions of the Act to grant the requested authority provided the applicant has established that it was in bona fide operation in performance of the service on and continuously since May 1, 1958, citing *Fish Transport Co., Inc., Common Carrier Application,* 27 M.C.C. 689, and *Derr Contract Carrier Application,* 43 M.C.C. 437. A petition for reconsideration of this finding of Division 1 was denied by the entire Commission order dated September 22, 1960, on the ground that the findings

of Division 1 were in accordance with the evidence and applicable law. In view of this action by the Commission, [fol. 531] the examiner shall recommend that the applicant herein be granted authority to transport frozen fish when moving in the same vehicle with frozen vegetables, frozen fruits, and frozen berries, from and to the points specified in the findings herein.

The examiner is of the opinion that authority to transport frozen fish as herein recommended should be granted notwithstanding the fact that the notice of the scope of the application as published in the Federal Register did not reveal the full scope of the application. The conclusion in this respect is based on the facts (1) that frozen fish is a commodity that applicant or any other carrier may transport without authority provided the fish does not move in the same vehicle with commodities subject to the certificate requirements of the Act, (2) that protestants will not be prejudiced by continuance of a service which applicant and its predecessors lawfully have performed in competition with protestants over a long period of years, and (3) that republication of the application in the Federal Register for correcting an inadvertent error would not in this particular case serve any purpose other than to delay the ultimate disposition of an application proceeding which has been pending for more than two years.

Findings

The examiner finds that on May 1, 1958, applicant was in bona fide operation, in interstate or foreign commerce, as a common carrier by motor vehicle, (a) of frozen fruits, frozen berries, and frozen vegetables, (1) from Burley, Caldwell, and Nampa, Idaho, and points in California, Oregon, and Washington, to Denver, Colo., Detroit, Mich., Omaha, Nebr., and points in Arkansas, Illinois, Iowa, Kansas, Missouri, Oklahoma, and Texas, (2) from Little Rock, Ark., and from points in that part of Arkansas on, north, and west of a line beginning at the Arkansas-Oklahoma State line near Forth Smith, Ark., and extending along Arkansas Highway 22 to Dardanelle, Ark., thence northward along Arkansas Highway 7 to Harrison, Ark., and

thence along U. S. Highway 65 to the Arkansas-Missouri State line, to points in Illinois, Michigan, Missouri, and Texas, (3) from points in Minnesota on and south of U. S. Highway 14 to Omaha, Nebr., and points in Arkansas, Kansas, Missouri, and Oklahoma, (4) from points in the Lower Peninsula of Michigan to Omaha, Nebr., and points in Kansas, Missouri, and Oklahoma, (5) from Kansas City, Kans., Kansas City, Mo., Omaha, Nebr., and Oklahoma City, Okla., to points in California and Oregon, (6) from Omaha to points in Arkansas, and (7) from Chicago, Ill.; to Kansas City, Mo., and (b) of frozen fish when moving in the same vehicle with frozen fruits, frozen berries, or frozen vegetables, from Monterey, San Jose, San Francisco, and Los Angeles, Calif., Idaho Falls and Twin Falls, Idaho, Astoria, Oreg., and Seattle, Wash., to points in Arkansas, Illinois, Iowa, Kansas, Missouri, Oklahoma, and Texas, all over irregular routes, and has so operated since that time; that applicant is entitled to a certificate authorizing continuance of the described operation; and that the application in all other respects should be denied.

It is recommended that the appended order be entered.

By William J. Cave, Hearing Examiner.

(Signature) William J. Cave

[fol. 532] Recommended by William J. Cave, Hearing Examiner

(Signature) William J. Cave

ORDER

At a Session of the INTERSTATE COMMERCE COMMISSION, Division 1, held at its office in Washington, D. C., on the day of A. D. 1961

No. MC-117119 (Sub-No. 2)

WILLIS SHAW FROZEN EXPRESS, INC., COMMON CARRIER "GRANDFATHER" APPLICATION

Investigation of the matters and things involved in this proceeding having been made, said application upon due

notice having been heard by the examiner, who has made and filed a report herein containing his findings of fact and conclusions thereon, which report is hereby made a part hereof, and said proceeding having been duly submitted:

It is ordered, That upon compliance with the requirements of sections 215, 217, and 221(c) of the Interstate Commerce Act, and with our rules and regulations thereunder, a certificate be issued to applicant authorizing operations, in interstate or foreign commerce, as a common carrier by motor vehicle of the commodities described, and in the manner described in the manner described in the findings in the said report.

It is further ordered, That the application in all other respects be, and it is hereby, denied.

It is further ordered, That unless compliance is made by applicant with the requirements of sections 215, 217, and 221(c) of the act within 90 days after the date of service of a notice to the parties that this order has become effective as the order of the Commission, or within such additional time as may be authorized by the Commission, the grant of authority made in said report shall be considered as null and void and the application shall stand denied in its entirety effective upon the expiration of the said compliance time.

And it is further ordered, That this order shall be effective on

By the Commission, division 1.

Harold D. McCoy, Secretary.

(Seal)

[fol. 609] Service (omitted in printing).

BEFORE THE INTERSTATE COMMERCE COMMISSION

No. MC-117119 (Sub-No. 2)

WILLIS SHAW FROZEN EXPRESS, INC., COMMON CARRIER "GRANDFATHER" APPLICATION

Applicant found entitled to continue operations as a common carrier by motor vehicle, over irregular routes, of specified commodities from and to described points in 14 States, by reason of having been engaged in such operations on and continuously since May 1, 1958. Issuance of a certificate approved upon compliance by applicant with certain conditions, and application in all other respects denied.

A. Alvis Layne, Jr., and John H. Joyce for applicant.

Charles L. Ford, Jr., Earl J. Brooks, and Hugh T. Matthews for protestants.

REPORT OF THE COMMISSION—September 27, 1961

Division 1, Commissioners Walrath, Webb, and Tucker.

Tucker, Commissioner:

Exceptions were filed by applicant and one protestant to the order recommended by the examiner, and each replied to the exceptions of the other. Our conclusions differ somewhat from those recommended.

By application filed December 5, 1958, Willis Shaw Frozen Express, Inc., of Elm Springs, Ark., seeks a certificate under the "grandfather" proviso of Section 7(c) of the Transportation Act of 1958, authorizing operation, in inter-[fol. 610] state or foreign commerce, as a common carrier by motor vehicle, of frozen fruits, frozen berries, frozen vegetables, frozen poultry, frozen poultry parts, frozen fish and other frozen seafood, including seafood pies, meals, and dinners, from and to points in Alabama, Arizona, Ar-

kansas, California, Colorado, Delaware, Florida, Georgia, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Nebraska, New Jersey, New Mexico, New York, Oklahoma, Oregon, Ohio, Pennsylvania, Tennessee, Texas, Utah, Virginia, Washington and Wisconsin, over irregular routes. The application is opposed by Class I Rail Carriers in the Western District, The Texas Railroad Association and numerous rail and motor carriers.[1]

The examiner recommended that the application be granted to the extent set forth in part A of the Appendix hereto. On exceptions applicant contends (1) that the examiner incorrectly restricted his attention to operations conducted since October 1, 1957, (2) that its Exhibit No. 21 should have been admitted into evidence, and (3) that it will be denied substantial parity with its past operations unless it is granted all the authority sought. It says that the "pro numbers" of the poultry shipments listed in Exhibit No. 21 should be matched with the pro numbers of the [fol. 611] frozen fruit, berry, and vegetable shipments listed in Exhibit No. 22 to establish the scope of its mixed shipment operations with respect to these commodities. Pacific Intermountain Express Co., hereafter called P.I.E., argues on exceptions (1) that the authority granted should be no more than that set forth in part B of the Appendix hereto, (2) that the examiner's recommendation is based in part on shipments which were not bona fide because of an admixture of commodities the transportation of which was subject to economic regulation, and (3) that fish, poultry, and the related products included in the application were not listed in the Federal Register publication and, therefore, should not be considered. Applicant replies (1) that any defect in the published notice of the application can be corrected by republication, (2) that the status of frozen food has been so confused that applicant should not be

[1] New York Central Railroad, Louisville & Nashville Railroad, Boston & Maine Railroad, New York, New Haven, and Hartford Railroad, Chicago, Rock Island & Pacific Railroad, Pacific Intermountain Express Co., Gillette Motor Transport, Inc., and Eastern Truck Lines, Ltd.

penalized for transporting frozen french fried potatoes in mixed shipments with frozen fruit, berries, and vegetables, and (3) that exceptant eliminated many bona fide shipments listed in Exhibit No. 22 from its computation of the authority to be granted because they were wrongfully categorized as private carriage. In reply exceptant asserts that applicant failed to conduct bona fide operations to or from any points beyond those conceded in P.I.E.'s exceptions, apart from a few instances involving long and unexplained interruptions in service.

[fol. 612] The evidence, the examiner's recommendations, the exceptions and replies thereto have been considered. We find the statement of facts in the examiner's report to be correct; and, as supplemented herein, we adopt it as our own.

1. Preliminary Matters

Applicant's evidence was adduced principally in the form of four exhibits. Exhibit No. 20 shows shipments of frozen fish, Exhibit No. 21 lists shipments of iced and frozen poultry, Exhibit No. 22 records shipments of frozen fruit, berries, and vegetables, and a late-filed exhibit contains photostats of the supporting documents for 107 shipments which applicant asserts were for-hire carriage and exceptant insists were not. The examiner refused to accept Exhibit No. 21 in evidence because it was offered for the specific purpose of showing that, at the destinations listed therein, applicant had empty vehicles available for transportation of frozen fruit, berries, vegetables, fish, and seafood products. In rejecting this exhibit, the examiner ruled that only the operations actually performed by applicant could be considered as the basis for a grant of the authority sought. Each shipment in the exhibits is identified by a pro number which corresponds to the serial number of the loading sheet on which it is listed. Every loading sheet, however, represents a round trip which usually involved an outbound movement, a back haul, and one or more intermediate hauls; therefore, many mixed and consecutive shipments bear the [fol. 613] same pro number. Also in some cases underlying documents for these shipments reflect that applicant was

considered the broker, consignee, or consignor rather than the common carrier of the commodity. The examiner's ruling, rejecting the exhibit for the purpose it was introduced, was clearly correct. See *Long Common Carrier Application*, 81 M.C.C. 689. Applicant's suggestion that we compare the pro numbers of the approximately 6,000 shipments in Exhibit No. 22 with those of some 15,000 shipments in Exhibit No. 21 is not an entirely practical one, because the pro numbers in Exhibit No. 21 are not organized in numerical or chronological order. Our examination of it indicates, however, that the bulk of the shipments therein were westbound from points in Arkansas, Missouri, and Oklahoma, and a comparison with Exhibit No. 22 shows that applicant had no corresponding movement of frozen fruit, berries, or vegetables. Examining Exhibit No. 21 in an effort to pick out those poultry shipments which seem geographically compatible with the frozen fruit, berry, and vegetable authority granted below, we found only a few shipments common to both exhibits. This effort did not disclose any pattern which would justify a grant of authority.

A comparison of the frozen fish shipments listed on Exhibit No. 20 with the frozen fruit, berry, and vegetable shipments on Exhibit No. 22 indicates about 25 such mixed shipments moving from the Washington, Oregon, and California origins named by the examiner to destinations served [fol. 613½] on straight truckloads. Although this number is not large in comparison with the numbers of unmixed shipments, a comparatively broad grant of these rights is warranted to allow continued flexibility in applicant's operations. The grant of authority to transport these mixed shipments, as indicated in the findings herein, is based on these operations.

All of applicant's shipments of the involved commodities moving from Ontario, Oreg., Zillah, Wash., and points in Idaho consisted wholly or partially of frozen french fried potatoes. We therefore omitted from consideration shipments involving these frozen french fried potatoes, and also shipments moving in mixed truckloads with such products. See *Panther Oil and Grease Mfg. Co., Inc., Contr.*

Car. Applic., 84 M.C.C. 393. It may be noted that applicant has another application pending, in No. MC-117119 (Sub-No. 6), in which it is seeking specific authority from certain points in Oregon, Washington, and Idaho, which would comprehend these operations.

In counting mixed shipments of frozen fish and frozen fruits, berries, and vegetables we excluded, of course, consecutive shipments moving under the same pro number. Intrastate shipments were also excluded. We have considered all shipments moving on or after January 1, 1957, but none prior thereto as those were too remote from the statutory date. See *Refrigerated Dispatch Common Carrier Application*, 83 M.C.C. 411.

[fol. 614] Protestants presented no evidence except a late-filed exhibit by P.I.E. listing 162 shipments, which it says should be deleted from Exhibit No. 22 because the underlying documents indicate they moved in private carriage in applicant's so-called "buy and sell" operation which ended about October 1, 1957. Applicant concedes that 55 of these shipments were in private carriage and disputes the status of the remaining 107 in its own aforementioned late-filed exhibit.

In determining whether the operations were for-hire transportation we have applied the primary business test. Compare *A. W. Stickle Co.* v. *Interstate Commerce Commission*, 128 F2d 155, and No. MC-117826, *Anton Gasson Common Carrier "Grandfather" Application*, M.C.C. , (decided June 20, 1961). We conclude that all of the transportation during the critical period was common carriage, even though in some instances applicant may not have regarded it as such.

2. Grandfather Rights Justified

There is ample justification for grandfather rights to transport frozen fruits, frozen berries, and frozen vegetables from points in California, Oregon, and Washington to points in Arkansas, Kansas, Missouri, and Oklahoma, as recommended by the examiner, and since there is no opposition to this, this aspect of the application will not be further discussed.

California origins to other States. There also is adequate support for, and no oppostion to, a grant of authority to [fol. 615] transport all three commodities from points in California to points in Iowa. Protestant opposes a grant of similar authority to either Omaha, as recommended by the examiner, or to all of Nebraska as applicant requests, but there is recorded a total of about 15 shipments from several California origins to several Nebraska destinations, including Omaha, which sufficiently establishes a pattern of Statewide operations in transporting these commodities. Protestant contends that applicant should be limited to service to Amarillo, Tex., from four named California origins, but it is evident that several other Texas destinations were served prior and subsequent to the critical date, such as Fort Worth, San Antonio, and El Paso, and we conclude that Statewide authority is warranted. On the other hand, no authority is justified to other destinations, since shipments thereto transported by applicant are shown essentially to have been either only sporadic, or discontinued, or begun subsequent to May 1, 1958. For example, there were a few shipments of frozen vegetables in 1957 to Nashville, Tenn., but none subsequently.

In 1959 there were a few shipments of frozen vegetables to Memphis and Knoxville, Tenn., but none previously through 1957. There is shown a single shipment of frozen berries to Denver, Colo., occurring in 1959, and two similar shipments to Detroit, occurring in 1960. No shipments were shown to Illinois destinations subsequent to May 1, 1958, and only a few previously.

[fol. 616] *Oregon origins to other States.* There were single shipments of frozen berries and frozen vegetables transported by applicant in 1957 to Omaha, but none subsequently. A single shipment moved to Spokane, Wash., in 1958 but none in 1957, 1959 or 1960. Also, a single shipment of frozen vegetables from another origin to Denver in early 1958, but none subsequently. Beyond these shipments, applicant's pertinent operations were performed in 1959 or subsequently. No authority greater than that indicated in our findings, therefore, is justified.

Washington origins to other States. No additional shipments are shown to other States during 1957 or the first 4 months of 1958. There were single shipments of frozen fruits and vegetables later in 1958 from Arlington and Prosser, to Denver, but no others subsequently. There is no justification for any additional authority from Washington origins.

Nebraska origins. Applicant transported frozen vegetables from Omaha to several points in Arkansas prior and subsequent to the critical date, and it is entitled to Statewide authority for that commodity from Omaha. It also transported frozen fruit from Omaha to Modesto, Calif., before and after the critical date, and should be authorized to continue to do so. Its few other Nebraska originated shipments were sporadic and show no pattern to justify additional authority.

Michigan origins. Protestant concedes that a grant of authority to transport frozen fruit from points in the Lower Peninsula of Michigan to Kansas City, St. Joseph, Okla- [fol. 617] homa City and points in Kansas is justified. Additionally Omaha was served before and after the critical date from Michigan, and it too should be added to this destination territory on that commodity. Also, applicant transported a sufficient number of shipments of frozen berries and vegetables from several Michigan origins to Kansas City to justify a grant of authority here.

Minnesota origins. Beyond those shipments of frozen vegetables which protestant agrees warrant a grant of authority, applicant's operations were entirely sporadic.

Arkansas origins. Protestant concedes that applicant's operations warrant a grant of authority to transport frozen vegetables from Ft. Smith to Detroit, and frozen berries from Ft. Smith to Chicago. We find that it has transported frozen vegetables before and after the critical date from Ft. Smith to San Francisco and Miami and Jacksonville, Fla., and that it therefore should be granted that additional authority. Four other scattered shipments (from two origins to four destinations in three States) occurred prior to the critical date during 1957 and 1958. Shipments from and to these points were not repeated subsequently. Various other

points were served subsequently, but it would be very unrealistic for us to conclude that applicant was conducting operations from and to other points on the statutory date.

Delaware origins. Applicant transported a number of shipments of frozen vegetables from Clayton to Fayette-[fol. 618] ville and Springdale, Ark., from 1957 through 1960. It also handled other similar shipments from Clayton to Rogers, Ark., and from Milton to Springdale and Fayetteville after the critical date. In view of this we think applicant has shown its right to authority to continue transporting frozen vegetables from points in Delaware to points in Arkansas. Other Delaware originated shipments were only sporadic in nature.

Illinois origins. Applicant handled only a relatively few shipments of frozen fruits, berries, and vegetables from Chicago during this period, but there were enough to support a grant of authority from Chicago to Kansas City as recommended by the examiner. Other Illinois shipments were only sporadic in nature.

Origins in other States. Applicant transported no shipments of the involved commodities during the period January 1, 1957 to May 1, 1958, from points in a number of other States. From points in some of these States a few shipments were transported later, but these operations show no pattern upon which we can fairly or realistically base a grant of grandfather authority. States in this category include Arizona, Colorado, Georgia, Kansas, Louisiana, Tennessee, New Jersey, Maryland, Missouri, New York, and Virginia. Shipments were shown to have originated at points in the last five named States during 1960 only. From points in Oklahoma, Pennsylvania, Texas, and Utah, there were a few shipments before and a few shipments after the [fol. 619] statutory date, but not in any related pattern. For example, there were single shipments from Oklahoma City to Burbank, Calif., and Chicago during 1957, but none subsequently. A Tulsa shipment was transported to St. Louis, Mo., during 1958 after May 1. Thereafter, in 1960, applicant transported a number of shipments of frozen berries and vegetables from other Oklahoma origins to various other destinations. None of these operations were such as to justify grandfather authority.

3. Republication

Opposing carriers who were present at the hearing do not appear to have been prejudiced by the incomplete summary of the application published in the Federal Register, but other members of the public who relied upon the notice as published may have an interest which has been prejudiced by the lack of proper notice. We shall, therefore, republish in the Federal Register the authority sought to transport frozen fish at the same time in the same vehicle with frozen fruit, berries, and vegetables as indicated in the findings. Any prejudiced person may file an appropriate pleading within 20 days of such publication.

4. Findings

We find that applicant was, on May 1, 1958, in bona fide operation, in interstate or foreign commerce, as a common carrier by motor vehicle, over irregular routes, of

(a) frozen fruit, frozen berries, and frozen vegetables

(1) from points in California, Oregon, and Washington to points in Arkansas, Kansas, Missouri, and Oklahoma.

[fol. 620] (2) from points in California to points in Iowa, Nebraska, and Texas.

(3) from Chicago, Ill., to Kansas City, Mo.

(4) from points in the Lower Peninsula of Michigan to Kansas City, Mo.

(b) frozen fruit

(1) from Omaha, Nebr., to Modesto, Calif.

(2) from points in the Lower Peninsula of Michigan to St. Joseph, Mo., Oklahoma City, Okla., Omaha, Nebr., and points in Kansas.

(c) frozen vegetables

(1) from Omaha, Nebr., to points in Arkansas

(2) from Ft. Smith, Ark., to Detroit, Mich., Miami and Jacksonville, Fla., and San Francisco, Calif.

(3) from points in Delaware to points in Arkansas

(4) from points in Minnesota on and south of U. S. Highway 14 to Omaha, Nebr., Kansas City and St. Joseph, Mo., Oklahoma City, Okla., and points in Arkansas and Kansas

(d) frozen berries from Fort Smith, Ark., to Chicago, Ill.

(e) frozen fish when moving in the same vehicle and at the same time with frozen fruits, frozen vegetables, or frozen berries from Seattle, Wash., and Astoria, Oreg., to points in Arkansas, Kansas, Missouri, and Oklahoma; and from San Francisco, Monterey, San Jose, and Los Angeles, Calif., to points in Arkansas, Kansas, Missouri, Oklahoma, Iowa, Nebraska, and Texas:

and has so operated since that time; that unless otherwise ordered, a certificate authorizing the continuance of such operations should be granted after the elapse of 20 days from the date of republication in the Federal Register of a statement of the authority granted herein to transport frozen fish when transported at the same time in the same vehicle with frozen fruit, berries, or vegetables as indicated above; and that the application in all other respects should be denied.

[fol. 621] Subject to the above condition with respect to republication, upon compliance by applicant with the requirements of sections 215, 217, and 221(c) of the act, and with our rules and regulations thereunder within the time specified in the order entered concurrently herein, an appropriate certificate will be issued.

An appropriate order will be entered.

Commissioner Webb, dissenting in part:

Applicant has shown that it was engaged in good faith operations involving the transportation of frozen potato items in mixed loads with frozen fruits, vegetables and berries. In my opinion, the majority should not have refused to consider shipments of frozen fruits, vegetables and berries which moved in vehicles with frozen potato products. But cf. *Panther Oil and Grease Mfg. Co., Inc., Contr. Car. Applic.*, 84 M.C.C. 393.

[fol. 622] APPENDIX

A. Authority recommended by the examiner:

(a) frozen fruits, frozen berries, and frozen vegetables, (1) from Burley, Caldwell, and Nampa, Idaho, and points in California, Oregon, and Washington, to Denver, Colo., Detroit, Mich., Omaha, Nebr., and points in Arkansas, Illinois, Iowa, Kansas, Missouri, Oklahoma, and Texas, (2) from Little Rock, Ark., and from points in that part of Arkansas on, north, and west of a line beginning at the Arkansas-Oklahoma State line near Fort Smith, Ark., and extending along Arkansas Highway 22 to Dardanelle, Ark., thence northward along Arkansas Highway 7 to Harrison, Ark., and thence along U. S. Highway 65 to the Arkansas-Missouri State line, to points in Illinois, Michigan, Missouri, and Texas, (3) from points in Minnesota on the south of U. S. Highway 14 to Omaha, Nebr., and points in Arkansas, Kansas, Missouri, and Oklahoma, (4) from points in the lower peninsula of Michigan to Omaha, Nebr., and points in Kansas, Missouri, and Oklahoma, (5) from Kansas City, Kans., Kansas City, Mo., Omaha, Nebr., and Oklahoma City, Okla., to points in California and Oregon, (6) from Omaha to points in Arkansas, and (7) from Chicago, Ill., to Kansas City, Mo., and (b) of frozen fish when moving in the same vehicle with frozen fruits, frozen berries, or frozen vegetables, from Monterey, San Jose, San Francisco, and Los Angeles, Calif., Idaho Falls and Twin Falls, Idaho, Astoria, Oreg., and Seattle, Wash., to points in Arkansas, Illinois, Iowa, Kansas, Missouri, Oklahoma, and Texas, all over irregular routes,

B. Authority protestant concedes should be granted:

(a) frozen fruit, berries, and vegetables

(1) from points in California, Oregon, and Washington to points in Arkansas, Kansas, Missouri, and Oklahoma

(2) from points in California to points in Iowa

(3) from Watsonville, Sanger, Modesto, and Santa Clara, Calif., to Amarillo, Tex.

(b) frozen fruit

(1) from Omaha, Nebr., to Modesto, Calif.

(2) from points in the lower peninsula of Michigan to Kansas City and St. Joseph, Mo., Oklahoma City, Okla., and points in Kansas

[fol. 622½] (c) frozen vegetables

(1) from Fort Smith, Ark., to Detroit, Mich.

(2) from Omaha, Neb., to Fayetteville, Rogers, and Springdale, Ark.

(3) from points in Minnesota on and south of U. S. Highway 14 to Omaha, Nebr., Kansas City and St. Joseph, Mo., Oklahoma City, Okla., and points in Arkansas and Kansas

(d) frozen berries from Fort Smith, Ark., to Chicago, Ill.

[fol. 623]

BEFORE THE INTERSTATE COMMERCE COMMISSION

WILLIS SHAW FROZEN EXPRESS, INC., COMMON CARRIER "GRANDFATHER" APPLICATION

No. MC-117119 (Sub-No. 2)

ORDER—September 27, 1961

Investigation of the matters and things involved in this proceeding having been made, and said division, on the date hereof, having made and filed a report herein containing its findings of fact and conclusions thereon, which report is hereby made a part hereof:

It is ordered, That said application, except to the extent granted in said report, be, and it is hereby, denied, effective November 13, 1961.

And it is further ordered, That unless compliance is made by applicant with the requirements of Sections 215, 217, and 221(c) of the Interstate Commerce Act within 90 days after the date of service hereof, or within such additional time as may be authorized by the Commission, the grant of authority made in said report shall be considered as null and void and the application shall stand denied in its entirety effective upon the expiration of the said compliance time.

By the Commission, division 1.

Harold D. McCoy, Secretary.

(SEAL)

[fol. 627]

BEFORE THE INTERSTATE COMMERCE COMMISSION

No. MC-117119 (Sub-No. 2)

WILLIS SHAW FROZEN EXPRESS, INC.
"GRANDFATHER" APPLICATION

PETITION FOR RECONSIDERATION—Filed December 1, 1961

Willis Shaw Frozen Express, Inc. (hereinafter "Shaw" or "Applicant"), by its attorneys, files this Petition for Reconsideration of the Report and Order of the Commission, Division 1, in this proceeding, to the extent that Report and Order denies "grandfather" authority sought by Shaw in its application. The filing of a petition for reconsideration is appropriate here under Rule 101 of the Commission's Rules of Practice since (1) the Report and Order of Division 1 revised, in part, changed and modified the prior decision of the Examiner, and (2) the decision of the Examiner, and exceptions thereto, were not filed until well after February 1, 1961.

Applicant seeks reconsideration here:

1. of the atomization of the commodity authority actually granted by Division 1; i.e., the limitation of

certain authority granted to transportation of "frozen fruits" only *or* of "frozen vegetables" only *or* of "frozen berries" only, where the evidence establishes that a grant of authority is clearly warranted to transport the complete commodity group, "frozen fruits, frozen vegetables *and* frozen berries."

2. of the failure to grant any authority to engage in transportation of any commodities from and to numerous points covered by the application, as to which a clear showing of bona fide operation was made.

[fol. 628] 3. of the grant of authority to transport frozen fish, when moving in the same vehicle with frozen fruits, vegetables and berries, so limited geographically as apparently to virtually destroy Shaw's ability to continue to transport frozen fish in the same vehicle with now non-exempt commodities.

We shall show here that the restrictive action of the Commission is plainly unwarranted and improper in light of the evidence presented and of the requirements imposed on the Commission by the Transportation Act of 1958.

Preliminary Statement

By application filed December 5, 1958, Shaw seeks a certificate under the "grandfather" provision of Section 7(c) of the Transportation Act of 1958, authorizing it to engage as a motor common carrier in the interstate transportation of frozen fruits, berries, and vegetables, and of frozen poultry, poultry parts, fish, seafood (including seafood pies, meals, and dinners)* from and to points in Alabama, Arizona, Arkansas, California, Colorado, Delaware, Florida, Georgia, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Jersey, New Mexico,

* The named commodities, other than frozen fruits, berries, and vegetables, are declared partially exempted from economic regulation by the 1958 amendments to Section 203(b)(6) of the Motor Carrier Act. Authority is sought here to continue to transport those commodities when moved in the same vehicle with frozen fruits, berries, and vegetables.

New York, Oklahoma, Oregon, Ohio, Pennsylvania, Tennessee, Texas, Utah, Virginia, Washington and Wisconsin, over irregular routes.

[fol. 629] Hearing on the application was held before Examiner Cave on October 24, 1960. The evidence showed that applicant had held itself out to provide transportation, and had in fact engaged in transportation prior to, on, and after May 1, 1958, of frozen fruits, vegetables, and berries throughout the 35-state area covered by its application, and of frozen fish, originating at certain points in the West Coast states and Idaho, moving in the same vehicle with those now non-exempt commodities. The Examiner, nevertheless, proposed a grant of authority limited in geographic scope relative to the operations shown by the evidence to have been carried on by Shaw in the critical time period.[1]

On cross-exceptions, and replies thereto, by Applicant and protestants, Division 1 sharply reduced (with one minor exception) even the limited geographic authority proposed by the Examiner. In addition, it restricted much of the limited geographic authority awarded to transportation of specific types of the frozen fruits, vegetables, and berries group, in the face of a clear evidentiary showing of a holding out to transport, and transportation, by Shaw of frozen fruits, vegetables, and berries generally.[2]

[fol. 630] Argument

I. The Evidence Warrants, And Requires A Grant Of Authority To Transport Frozen Fruits And Frozen Berries And Frozen Vegetables To And From Points In All States Named In The Application.

A. Section 7(c) Of The Transportation Act Of 1958 Requires This Commission To Permit, Without Reduc-

[1] The authority recommended by the Examiner is set out in Appendix "A" hereto.

[2] The authority as granted by Division 1 is set out in Appendix "B" hereto.

tion In Scope, The Continuation Of Operations, Under Regulation. By Motor Carriers In Bona Fide Operation On May 1, 1958 In The Transportation Of Commodities Declared By That Act To Be Subject To Regulation.

Section 7 of the Transportation Act was enacted by Congress in 1958 for the express purpose of eliminating "erosion," both existing and anticipated, in the traffic of regulated carriers by halting the increase in the number of commodities transported by carriers not subject to the economic regulation of this Commission, under claim of right arising from the partial exemption provided by Section 203(b)(6). Section 7(a) of the statute sought to put an end to doubts as to the exempt status of numerous commodities. It declared subject to regulation, specified commodities and groups of commodities including frozen fruits, frozen vegetables, and frozen berries.

Section 7(c) provides, in pertinent part, that where

"... [a]ny person (or its predecessor in interest) was in bona fide operation on May 1, 1958, *over any route or routes or within any territory*, in the transportation of property ... made subject to the provisions of [the Motor Carrier Act by the amendments to Section 203 (b)(6) set out in Section 7(a) of the 1958 Act] ... and has so operated since that time, ... the Interstate Commerce Commission *shall* without further proceedings issue a certificate ... authorizing *such* operations. ..." (Emphasis added)

It is apparent from the terms of the quoted section of the Act that it was intended to preserve, under regulation, the previously claimed right of carriers to engage in operations to precisely the same extent that they had operated bona [fol. 631] fide, prior to May 1, 1958, both geographically and with respect to the commodities whose status as regulated was settled by the Act. The essential identity of the language of Section 7(c) with the language of the Motor Carrier Act's original "grandfather" provision, moreover, leaves no question of a Congressional intent that the later

provision be interpreted with the same liberality imposed upon this Commission by the Supreme Court in *Alton Railroad Company, et al.* v. *United States, et al.*, 315 U.S. 15 (1942) and *United States* v. *Carolina Freight Carriers Corp.*, 315 U.S. 475 (1942).

In *Alton*, the Supreme Court approved this Commission's award of broad territorial authority to a "grandfather" applicant who had in fact operated to relatively few points within the territory awarded. The evidence had showed that the applicant has held itself out to serve, generally, points within the territory granted, and that the nature of the business of shippers of the involved commodity was such that destination points of their shipments in the territory served varied and shifted from time to time. It pointed out there that

> "While the test of 'bona fide operation' within a specified 'territory' includes 'actual rather than potential or simulated service' . . . *it does not necessarily restrict future operations to the precise points or areas already served.* The characteristics of the transportation service rendered may of necessity have made trips to any specified locality irregular or sporadic. And they may likewise have restricted prior operations to but a few points in a wide area which the carrier held itself out as being willing and able to serve." 315 U.S. 15, 21. (Emphasis added)

In the *Carolina Freight Carriers'* case, decided in the same term as *Alton*, the Court acknowledged, of course, this Commission's power to determine the limits of the territory, or the points within a territory, to or from which the record might show that bona fide operations had been [fol. 632] conducted. And it there qualified the requisite "holding out" by noting that an express or implied "willingness" to serve points or territories sought under "grandfather" rights must have been accompanied by the *ability* to do so in light of the characteristics of the transportation service rendered. The Court re-emphasized its observation in *Alton* that

"... the purpose of the 'grandfather clause' was to assure to those to whom Congress had extended its benefits a 'substantial parity between future operations and prior bona fide operations.'" 315 U.S. 475, 481.

It held that that parity would not be preserved if the Commission granted "grandfather" rights which imposed commodity limitations more restricted than those which had been self-imposed by the carrier in its bona fide operations prior to regulation. Noting the Motor Carrier Act's definition of common carrier by motor vehicle in Section 203 (a)(14) as one who "undertakes ... to transport passengers or property, or any class or classes of property, for the general public in interstate ... commerce by motor vehicle for compensation ...," the Court held that the Commission

"... may not atomize [the applicant's] prior service, product by product, so as to restrict the scope of his operations, *where there is substantial evidence in addition to his holding out that he was in 'bona fide operation' as a 'common carrier' of a large group of commodities or of a whole class or classes of property.* There might be substantial evidence of such an undertaking though the evidence as to any one article was not substantial. *The broad sweep of his business may reveal a continuous undertaking to transport any or all commodities embraced within the group or the class.* ... The questions are whether his service within the territory in question was sufficiently regular and whether his coverage of commodities was sufficiently representative to support a finding that he was in 'bona fide operation' as a 'common carrier' of the groups of commodities or of the class or classes of property during the periods in question." 315 U.S. 475, 483, 484 [fol. 633] (Emphasis added); see also *Howard Hall Company, Inc.* v. *United States, et al.*, 315 U.S. 495, 500 (1942).

It is apparent, from consideration of the criteria set out in the *Alton* and *Carolina Freight Carriers* cases that the Commission in this case was unduly and improperly restrictive with respect both to the territorial and the commodity scope of the authority proposed to be granted Shaw. The evidence showed that Shaw had in fact transported to and from points in all of the states named in its application any and all frozen foods which it conceived, in good faith, to be exempted from the economic regulation of this Commission, and held itself out as willing and able to do so. The undisputed evidence established, moreover, that origin points of these various frozen foods shifted from time to time within a given origin area, because of movements of processing plants or the shifting of storage facilities from which shipments are made (Tr. 34-37). The testimony as well as the exhibits plainly show that multi-point and multi-state pick-ups and deliveries were commonplace in frozen food transportation (Tr. 37, 38; App. Ex. 22). Under the rule of *Alton* and *Carolina Freight Carriers*, therefore a grant of the full scope of the commodity and territorial authority sought by the application is not only warranted but required.

B. Shaw Was In Bona Fide Operation On May 1, 1958 Throughout The Territorial Scope Of Its Operations As A Common Carrier Of Frozen Fruits *And* Frozen Berries *And* Frozen Vegetables; And This Commission May Not Properly Restrict The Commodity Scope Of Any "Grandfather" Authority Now Granted To Less Than All Of Those Commodities.

Division 1 proposes, in subparts (b), (c) and (d) of the authority granted Shaw as set out in its Report (see Appendix "B") to limit the commodity scope of Shaw's "grandfather" certificate solely to "frozen fruit" in some territor- [fol. 634] ies, solely to "frozen vegetables" in others and, between one pair of points, solely to "frozen berries." It has thus sought to "atomize" Shaw's authority in precisely the manner which impelled the Supreme Court to set aside the Commission's Orders in *Carolina Freight Carriers*, and in *Howard Hall, supra*.

It is perfectly clear from the substantial evidence of record here that Shaw continuously held himself out as willing to transport any and all in that class of frozen food items which were deemed to be exempt from this Commission's economic regulation. Exhibit 22 shows that Shaw not only held itself out to the concerned segment of the shipping public as willing to do so, but did in fact engage in transportation of all such commodities without exception. Shaw's actual transportation performed between any given pair of points may not have included all of the possible varieties of frozen agricultural products deemed exempt from regulation prior to 1958. Yet, "viewed as a whole rather than as a group of separate and unrelated items [and points], his prior activities—satisfy the test of 'bona fide operation' as a 'common carrier' within the scope of his holding out," as we shall show below with specificity.

Carolina Freight Carriers plainly requires that the Commission consider not only the specific commodities actually transported by the applicant between a given pair of points, but also the bona fide holding out by the carrier of a willingness and ability to transport other commodities within the same class or group as those actually transported.

It is initially apparent that Shaw did not discriminate among frozen fruits, berries and vegetables in his general operation on, prior to, or after May 1, 1958. Exhibit 22 [fol. 645] shows numerous and repeated shipments of frozen fruits, berries, and vegetables in straight, and in mixed shipments.

The evidence shows that at all times even remotely relevant to this case, Shaw's primary transportation interest has been in the movement of frozen food commodities believed exempt under Section 203(b)(6) and that initially most, and ultimately all, of the company's trailers were refrigerated (See, e.g. Applicant's Ex. 1, 3, 4, 9, Tr. 15-18). Prior to the enactment of the 1958 Transportation Act, which created the "frozen fruits, berries and vegetables" classification for regulatory purposes, there was in fact no rational basis for any unregulated carrier operating equipment designed for frozen food transportation, to dif-

ferentiate for transportation purposes among frozen commodities on the basis of that later-created classification. The Commission may take official notice of the fact that frozen fruits and frozen vegetables and frozen berries are not, in any sense discrete or differing kinds of commodities so far as their transportation characteristics are concerned. Quite the contrary. They are essentially similar in those respects. The relevant and controlling classification would naturally have been, with respect to holding out, and to actual transportation: any and all packaged frozen foods (which reasonably appeared to be) exempted from regulation by Section 203(b)(6)—as it stood prior to the 1958 amendment. The record shows clearly that this could have been, and was, Shaw's only criterion; that any failure actually to transport frozen commodities in all three of these overlapping categories between any given pair or points was more a matter of chance than of choice; that the Commission could find otherwise only by the use of precisely that "atomization" process which the Supreme Court has clearly con-
[fol. 636] demned. For example:

1. The Commission has found that Shaw was engaged in bona fide operation in the transportation of "frozen fruit, frozen berries, and frozen vegetables" from the three West Coast states to points in a number of states, but presumed that Shaw restricted his bona fide general holding out to and from other points, with minor exceptions. One such exception was its finding that Shaw was in bona fide operation in the transportation of all three of the statute's arbitrary categories from points in the Lower Peninsula of Michigan to Kansas City, Missouri. In the very next paragraph, however (See Appendix "B" Paragraph (b)(2)) it finds in effect that Shaw, with an apparent partiality to Kansas City, undertook to make his service available only in transportation of "frozen fruit" from the same origin area to points across the Missouri River in Kansas; to St. Joseph, Mo., a short distance north of Kansas City; to Omaha and Oklahoma City in the adjacent (to Missouri) states of Nebraska and Oklahoma.

The record admittedly shows that apart from a "frozen vegetable" movement to Omaha in early 1957 (App. Ex. 22, p. 25) Shaw did not actually transport frozen berries or vegetables from Lower Michigan to any of the named destination points or areas other than Kansas City, Mo. It does show, however, transportation of those commodities to other points from that origin area (See, e.g., App. Ex. 22, p. 32, Pro. No. 3273) and to those particular destination points and area from other origins. Under the rule of *Carolina Freight Carriers*, the Commission's limitation is entirely unwarranted in the face of Ex. 22 as a whole, and in the absence of [fol. 637] any showing that Shaw refused to handle any commodity but frozen fruits from Michigan to any point but Kansas City, Mo.

2. Similarly, Division 1 would grant authority to transport frozen fruits only, from Omaha to Modesto, California, but frozen vegetables only from the same origin to points in Arkansas. All commodities were transported by Shaw from other origins to these destinations. The record shows that Shaw transported frozen vegetables from Omaha to points other than Arkansas (App. Ex. 22, pp. 29, 46) and frozen fruits to points other than Modesto (App. Ex. 22, p. 39). The record shows a general holding out by Shaw throughout the territory sought to transport fruits, vegetables, and berries without discrimination as to origin points or destination points. In the absence of any evidence belying Shaw's bona fide undertaking to transport any and all frozen foods deemed exempt prior to May 1, 1958, his authority may not properly be restricted in the manner proposed by Division 1.

3. The Division would grant limited authority from Ft. Smith, Arkansas to Detroit, Miami, Jacksonville, and San Francisco, to transport frozen vegetables only, while authorizing transportation of frozen berries only from the same origin point to Chicago (Appendix "B," Par. (c) (2) and (d)). Such an atomization could be warranted only if there were, as there is not, evidence

refuting the showing in Ex. 22, as a whole, of Shaw's general undertaking to transport all commodities deemed exempt prior to the 1958 Transportation Act. In fact, the record shows transportation of frozen [fol. 638] fruits *and* vegetables *and* berries by Shaw from Ft. Smith and environs before May 1, 1958 to a number of points (See App. Ex. 22, pp. 26, 27, 30, 33, 45); that shortly after May 1, 1958 Shaw transported frozen fruits from Ft. Smith to Detroit (App. Ex. 22, p. 49) and frozen vegetables to Chicago (App. Ex. 22, pp. 45, 47, 50). This plainly supports, and requires a finding of an undertaking to transport all three of the statutory categories of frozen formerly exempt agricultural products from Ft. Smith without discrimination as among destination points.

The foregoing instances are merely exemplary of the inequitable and erroneous result of the limitation of any authority granted to less than the entire commodity grouping, "frozen fruit, vegetables, and berries," in the face of Shaw's showing of a general holding out to transport, and transportation of, commodities within the entire grouping without limitation. The Transportation Act requires a grant co-extensive geographically, and in commodity description with the "grandfather" applicant's "bona fide operation" on May 1, 1958. "Bona fide operation" in the transportation of a given type of commodity, the Supreme Court has held, may be established by a showing that the applicant held himself out generally to transport the class of commodities which includes the particular type in issue, and had in fact transported (1) other commodities within that class, or (2) the particular commodity in question between points other than those immediately the subject of Commission consideration. As shown above, Shaw made the requisite showing with respect to frozen fruits, berries, and vegetables as a group.

The Commission, in considering the commodity, as well as the geographic, scope of authority to be granted must [fol. 639] carefully consider the common law common carrier status of the applicant in the critical period as a guide

to its decision. A common carrier, absent any controlling regulatory statute, has a common law duty to transport the commodities reasonably included in his holding out to the shipping public, between the points encompassed in his undertaking. And a refusal to accept and transport a shipment of a commodity so included to a point within his undertaking makes him subject to an action enjoining him to transport the shipment so tendered, or to an action for damages resulting to the shipper from his refusal (See, e.g., *Montgomery Ward & Co.* v. *Northern Pacific Terminal Co.*, 128 F. Supp. 475 (D. Ore., 1953). If it is apparent from the evidence considered as a whole, that the applicant had a common law duty to transport any frozen food product then deemed exempt, without discrimination, between points which he bona fide offered to serve on the critical date, the Commission may not treat that highly relevant factor as a nullity in determining the scope of "grandfather" authority to be granted.

Shaw was clearly a common carrier on the critical date. He clearly undertook to transport frozen foods then considered exempt from ICC regulation within the territories which, the evidence shows, he actually served. Had he refused, for example, a shipper's tender of a shipment of frozen vegetables from Lower Michigan to St. Joseph, Missouri or Topeka, Kansas (See p. 10, *supra*), Shaw could plainly not have successfully interposed a defense to a common law action for injunction or damages by the shipper, on the claim that his undertaking to transport from that origin to those particular destinations was limited to frozen fruit only. The evidence in such a case would show, as it does here, that he unquestionably undertook [fol. 640] to transport exempt frozen foods without limitation from the same origin and to other destinations, including Kansas City, Mo., adjacent to both Topeka and St. Joseph; and that he had, in fact, previously transported foods in that group, although not frozen vegetables, to those precise destinations. Under those circumstances Shaw would have been subjected to compulsion, or to payment of damages resulting from refusal, to transport frozen vegetables to St. Joseph and Topeka. It is entirely improper,

under such circumstances, for the Commission to deny Shaw authority to transport the very commodities which on the critical date, and at the very date of hearing in this proceeding, it had a legal duty to transport.

C. Shaw Was In Bona Fide Operation On May 1, 1958 Throughout The Territory Described In Its Application; And This Commission May Not Properly Limit The Territorial Scope Of "Grandfather" Authority To Be Granted By Elimination Of Points And Territories Included In Shaw's Operations On The Critical Date.

The Supreme Court decisions cited in the preceding section of this petition plainly enjoin Commission atomization of territorial, as well as commodity, authority to be granted a grandfather applicant. Where a showing has been made of a bona fide holding out to serve between or within given territories, together with actual service to a variety of points within that territory, a basis is established for a grant of "grandfather" authority to serve all points within such territory. This is particularly so where, as here, the nature of the shipper's business is such that origins within a given area may shift from time to time (Tr. 35, 36); the evidence shows (See App. Ex. 22) that individual shipments are frequently of less truckload size picked up at a number of origins in one territory and consolidated in a given vehicle for delivery to a variety of points in a destination [fol. 641] territory; where broad territory-wide service has in fact been provided, and where the applicant has demonstrated its ability to provide the broad service which it held itself out to perform.

Applicant's Exhibit 22, which shows that Shaw actually did operate generally throughout the area described in its application is also, of course, the clearest kind of evidence that Shaw was both willing and able to provide service throughout that territory.

In addition Shaw sought to show, by its Exhibit 21, that its willingness to provide the broad service which it held itself out to perform was backed by *the ability* to do so.

That Exhibit was offered for the express purpose of showing that vehicles headed outbound principally from points in Arkansas and the surrounding area with frozen poultry were available for transportation of frozen fruits, vegetables, and berries from areas in the vicinity of the delivery of the poultry shipments (Tr. 102). For purposes of showing the availability of Shaw's vehicles for transportation of frozen exempt commodities after unloading of poultry shipments at destination, Exhibit 21 was broken down so as to make it possible simply to ascertain the destination states and cities of the poultry shipments in the general area of which empty vehicles would then be available.

The Examiner refused to admit Exhibit 21 on the ground, according to the report of Division 1 (Sheet 4) that "only the operations actually performed by applicant could be considered as the basis for a grant of the authority sought." That ruling is directly contrary to the clear suggestion in *Carolina Freight Carriers,* 315 U.S. 475 at 481, that ability, as well as a mere expressed willingness to provide service, [fol. 642] is a highly relevant factor in determining whether an asserted "holding out" to serve a wide territory was actually bona fide. No item by item comparison of "pro" numbers in Exhibit 21 with those shown in Exhibit 22 is necessary to show precisely what Division 1 concluded in sustaining the Examiner's rejection of Exhibit 21: that whereas Exhibit 22 shows approximately 6000 truck movements, Exhibit 21 shows that more than twice that number of Shaw's refrigerated vehicles were available in the area of the destinations prior to August of 1958.

Exhibit 21 is plainly admissible as relevant to the issue of Shaw's ability to perform a transportation service in the broad territory covered by the application. The Examiner erred in refusing to admit that Exhibit for the purpose stated, and that error was compounded by the ruling of Division 1 (Sheets 4, 5).

Disregarding the inference necessa ly to be drawn from the evidence of a bona fide operation geographically commensurate with the scope of Shaw's application, Division 1 would so atomize Shaw's "grandfather" authority that

Shaw would be unable to continue to perform the kind of operation that it had in fact engaged in during the critical period. For example:

> 1. The Report of Division 1 would authorize transportation of frozen fruits, vegetables and berries from California points to points in Iowa, Missouri, Nebraska, and Texas, among other states (Appendix "B" Par. (a)(2)). It would not authorize service to any point in New Mexico, intermediate between California and Texas, or to any point in Illinois, bordering on Iowa and Missouri. Yet the record shows actual transportation by Shaw during the critical period from California to New Mexico and to Illinois points; and it shows, [fol. 643] moreover, that commodities were moved to those points as a part of truckloads involving drop-offs in states to which Division 1 proposed to grant authority. See for example, the following entries in Applicant's Ex. 22:

California to *Illinois*

[p. 28] 5-10-57				
2933	Frozen Veg. & Berries	27161	Watsonville, Cal.	Omaha, Nebr. Davenport, Ia. *Galesburg, Ill.*
[p. 44] 4-14-58				
4130	Frozen Veg. & Berries	3000	Sta. Cruz, Cal.	W. Burlington, Ia.
		750	Sta. Cruz, Cal.	*Macomb, Ill.*
		3400	San Francisco, Cal.	Davenport, Ia.
		10200	San Francisco, Cal.	St. Louis, Mo.
		3750	Watsonville, Cal.	*Galesburg, Ill.*
		11930	Watsonville, Cal.	St. Louis, Mo.

California to *New Mexico*

[p. 42] 3-20-58				
4061	Frozen Fruit & Veg.	35869	Watsonville, Cal. Sanger, Cal. Modesto, Cal. Santa Clara, Cal.	*Albuquerque, N.M.* Amarillo, Tex.

These entries show (a) that Shaw was in bona fide operation between California and Illinois and New Mexico points in the critical period, and (b) that Shaw's movements to those destinations, not awarded by Division 1, were an integral part of its operations to other destinations to which authority was granted by the Commission. Denial of authority to serve New Mexico and Illinois destinations from California plainly denies to Shaw the requisite substantial parity between its "grandfather" operations and those permissible under the proposed authority. Deprivation of the right to serve destinations such as these deprives Shaw of the pre-1958 flexibility of service which was an obvious [fol. 644] factor in Shaw's attractiveness to shippers and in Shaw's ability to operate efficiently and profitably.

By atomizing points in the same marketing area, but in different states, Division 1 has further deprived Shaw of an opportunity to maintain substantial parity with its "grandfather" operations. For example:

2. The Delmarva Peninsula is in fact, if not politically, a commonly accepted marketing unit. During the critical months of 1958 alone, Shaw transported, on January 20, 1958 (App. Ex. 22, p. 39) frozen fruit from Omaha, Nebraska to Salisbury, Maryland, and on June 6 and 26, 1958, loads of frozen vegetables from Omaha to Salisbury's neighboring Eastern Shore towns of Milton and Clayton, Delaware. Division 1 granted no authority from Omaha to either of those points. Authority from Omaha to points on the Delmarva Peninsula is plainly warranted.

The foregoing examples[3] are merely indicative of the territorial atomization of Shaw's "grandfather" operations that would result from a grant of the authority proposed by Division 1.

The fact that shipments between particular points were not as numerous as those between other points served by Shaw provides no basis for denial. There is a clear showing

[3] See also the appendices to Applicant's Exceptions in this case.

of a "holding out" to serve all points in the states covered by the application, of the actual ability to provide the service offered, of actual and substantial service to many points throughout the area involved. In similar circumstances this Commission has granted authority to serve [fol. 645] points even where few shipments had been made to such points prior to, and none in, 1958. See, e.g., *Winter Garden Company, Inc., "Grandfather" Application,* 86 M.C.C. 347, 356-368; *Lester C. Newton Trucking Co., Common Carrier "Grandfather" Application,* 84 M.C.C. 759, 771-777.

D. The Commission May Not Properly Refuse To Consider Evidence Of Transportation Of Frozen Potatoes As Probative Of Bona Fide Operation On The Critical Date.

The Commission quite properly found that all of Shaw's shipments moving from Ontario, Oregon, Zillah, Washington, and points in Idaho consisted "wholly or partially of frozen french fried potatoes." On the basis of that finding, however, it refused, entirely erroneously, to consider shipments consisting, in whole or in part, of that commodity in making its determination of the appropriate geographic scope of the "grandfather" authority to be granted Shaw.

It should be apparent, at least, as Commissioner Webb has indicated in his dissent in this proceeding, that since Shaw had shown that it transported frozen fruits and berries, as well as other frozen vegetables, in loads in the same vehicle with frozen potatoes, in a bona fide belief that such transportation was exempt, those shipments may not properly be ignored by this Commission in considering the bona fide "grandfather" operations of Shaw.[4]

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[4] This argument is directed solely to the issue whether movements of frozen french fried potatoes in the critical period must be considered by the Commission as evidence of the scope and nature of bona fide "grandfather" operations.

It is Shaw's position, moreover, that frozen french fried potatoes were "made subject" to regulation by the 1958 Transportation Act; that that conclusion is amply supported by the statute and its legislative history; that the Commission's admittedly academic expression, in *Frozen Cooked Vegetables—Status,* 81 M.C.C. 649,

[fol. 646] In his dissent here, Commissioner Webb referred to the *Panther Oil and Grease Mfg. Co.* case, 84 M.C.C. 393. In his concurring opinion in that case he had noted the significance of the appropriate interpretation of the term "property" in Section 7(c), as determinative of the treatment to be accorded good faith transportation of frozen french fried potatoes as evidence of "bona fide operation" in the "grandfather" period. That Section accords "grandfather" rights to persons in bona fide operation on May 1, 1958 "in the transportation of *property* for compensation by motor vehicle made subject to the provisions of Part II" by the amendment to Section 203 (b)(6). He there suggested that if "property" is interpreted to mean "commodities" rather than "shipments," then transportation of mixed loads, including frozen potato products, should be treated as bona fide operations for purposes of determining the scope of authority to be awarded; that there was to be no "attainder" of other frozen vegetables, or of fruits or berries, resulting from their transportation in the same vehicle with frozen potatoes.

The background and terms of the statute, as well as the consequences that would result from application of a con- [fol. 647] trary view can leave no doubt that the statute intended, at least,[5] that the Commission consider transportation of mixed loads of commodities now asserted by the Commission to be on different sides of the demarcation line between "exempt" and "non-exempt."

The factual background, the legislative history, and the terms of the statute make it clear that the intent of Con-

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650, 656, of its views as to what it might have decided had Section 203(b)(6) not been amended, is irrelevant to the issue of the appropriate interpretation of that Section as it was in fact amended, and that that expression of views could not in any event be treated either as the product of a rule-making proceeding, or of adjudication, which might pretend to be binding upon Shaw, which was not a party thereto. The failure to argue that position *in extenso* in the text of this petition is in no sense to be taken as minimizing Shaw's view of its significance or validity. It is rather merely a practical recognition of the extremely doubtful possibility of successfully advancing that view in this forum.

[5] See footnote 4, *supra*.

gress in enacting the amendment to Section 203(b)(6) was to make what it considered to be a practical political disposition of then-conflicting interpretations of the precise scope of the exemption. It did not undertake by that amendment to create or preserve distinctions which could be rationalized in terms either of organic chemistry or of "substantial identity." It did not undertake to judge whether the Commission and regulated carriers, or the courts and unregulated carriers, were "right" or "wrong" in their views on what commodities in what stages of processing were or were not "manufactured." Had it undertaken to do so, it should be apparent that it would not have indicated, for example, that frozen, cooked, breaded fish was to be deemed exempt, while raw bananas and coffee beans were not.

Section 7(c) awarded the opportunity to then non-regulated carriers to obtain "grandfather" rights. That Section would not have been enacted had the Congress not recognized that confusing and conflicting interpretations had led such carriers to transport commodities then believed by them, in good faith, to be exempt. Recognizing that the conflict in philosophy and decision between courts and Commission, and legitimate differences of opinion in [fol. 648] extrapolation from, and analogy to, varying decisions, had created what would today be called a broad "gray area" of exemption, Congress enacted Section 7(c) to preserve the businesses of previously non-regulated carriers operating in that area. Thus there is implicit in the legislation a directive that no stigma to pre-1958 unregulated transportation of commodities whose exempt status, despite administrative rulings, was in question.

But few of those businesses would in fact be preserved if the views expressed by the majority in this case, and in *Panther Oil*, were in fact applied to the full extent that the logic of that decision would require.

For example, if the *Panther Oil* view were in fact applied, no carrier could obtain "grandfather" authority on the basis of evidence showing transportation of frozen cooked fish in the same vehicle with frozen vegetables. Frozen cooked fish was not considered exempt by the Commission prior

to 1958 and no court decision explicitly contradicted that ruling. Congress has expressly *not* made frozen cooked fish "subject to the provisions of Part II." Frozen vegetables, theretofore considered non-exempt by the Commission but exempt by the courts, were expressly made subject to Part II by the 1958 amendment. A logical application of *Panther Oil* to this situation would plainly require the Commission to disregard mixed shipments of "grandfather" commodities and a commodity which was deemed *non-exempt* on the grandfather date and has not been "made subject to" regulation by Section 203(b)(6) as amended.

A similar, and perhaps more striking instance of the selective interpretation of *Panther Oil*,[6] as well as of Sec- [fol. 649] tion 203(b)(6) as amended, is presented in the supposed instance of pre-1958 transportation of frozen cooked fish dinners in the same vehicle with frozen cooked fish and frozen vegetables. Frozen cooked fish dinners were then treated by this Commission as not exempt. Nothing in the 1958 Transportation Act expresses or suggests that that commodity, or frozen salmon croquettes, or frozen cooked clam juice, should now be treated as exempt. Those commodities would appear in fact, by any standards of appearance or substantial identity, or of cooking beyond the point necessary to inactivate enzymes, to be processed far beyond the point of frozen french fried potatoes.

Nevertheless, with a selective discrimination incomprehensible to Shaw, at least, this Commission would consider as evidence of bona fide "grandfather" operation the transportation in the same vehicle of:

1. frozen cooked fish—deemed not exempt by Ruling 107, and expressly *not* "made subject to" Part II by Congress,

2. frozen vegetables—deemed not exempt by Ruling 107, and expressly "made subject to" Part II by Congress, and

3. frozen cooked fish dinners—deemed not exempt by Ruling 107, *not* expressly "made subject to" Part II by Congress, but deemed to be subject thereto only by

[6] See footnote 4, *supra*.

an administrative extrapolation from the statute (Administrative Ruling No. 110) far more extreme than the view that potatoes are vegetables.

It appears, then, that the Commission is entirely willing to consider as evidence of "grandfather" operations, *in selected cases,* transportation of mixed shipments including commodities which it never considered exempt prior to the 1958 amendment (and hence must have considered unlawful transportation), some of which were either expressly excluded from subjection to Part II, or never ex- [fol. 650] pressly made subject to Part II, by Congress.[7] That treatment is completely inconsistent with the views expressed by the majority in *Panther Oil.* It is logically consistent, at the very minimum,[8] with the view that Congress, as a matter of practical necessity, must be considered to have used "property" in Section 7(c) as synonymous with "commodities." This, as suggested below, footnote 7, is the necessary implication of the *Lewis* case.

It should be clear, therefore, that Shaw is entitled to have shipments of, or including, frozen french fried potatoes considered as evidence of bona fide "grandfather" operations.

That evidence will not be discussed here in its entirety, since the authority granted by Division 1 here, and by a certificate issued to Shaw on November 9, 1961 in Docket No. MC-117119 (Sub-No. 6) has mooted any issue with respect to a large portion of the territory that would otherwise be involved. There remains, however, consideration of one aspect of Shaw's "grandfather" operations covered neither by the above-described certificate or by the au-

[7] If the Commission were consistent in judging the bona fides of applicants by the standard of its pre-1958 views of the status of given commodities, then transportation of frozen vegetables in the same vehicle with commodities then deemed exempt by the Commission, and so treated by the amendment, could not be considered. This is so to the extent that the Commission considers the amendment to represent a moral, rather than a practical judgment of the Congress. Obviously, however, it has heretofore treated the legislation as practical in selected instances (see the Lewis case, *infra,* p. 26) and as moral in others, such as *Panther Oil.*

[8] But see footnote 4, *supra.*

thority granted by Division 1 here. That remaining aspect is Shaw's transportation in the critical period from Idaho points to Kansas City and St. Louis, Missouri.

[fol. 651] Applicant's Exhibit 22, pp. 42, 44, 45, 50, 54, shows, in 1958 alone, the following operations by Shaw from Idaho to points in Missouri:

Date	*Pro*	*Commodity*	*Weight*	*Origin*	*Destination*
3-15-58	4037	Froz. Veg. & Berries	11,550	*Nampa, Idaho*	*Kansas City, Kansas*[9]
			10,650	Ontario, Ore.	Kansas City, Missouri
			12,908	Albany, Ore.	Kansas City, Missouri
4-17-58	4165	Froz. Veg.	6,800	Burlington, W.	Emporia, Kansas
			5,238	Kent & Zillah, Washington	Smith Center, Kansas
			12,000	Ontario, Ore.	Dodge City, Kansas
			5,800	Ontario, Ore.	Kansas City, Missouri
			5,000	*Caldwell, Ida.*	*Kansas City, Missouri*
5-20-58	4270	Froz. Veg.	982	Ontario, Ore.	Kansas City, Missouri
			27,832	Ontario, Ore.	Kansas City, Missouri
			8,386	*Caldwell, Ida.*	*Kansas City, Missouri*
8-18-58	4571	Froz. Veg.	35,850	*Caldwell, Ida.*	*St. Louis, Missouri*
10-22-58	4779	Froz. Veg.	12,800	Idaho Falls, Id.	*St. Louis, Missouri*
			26,240	Idaho Falls, Id.	Kansas City, Kansas
10-28-58	4794	Froz. Veg.	37,548	*Burley, Idaho*	*Kansas City, Missouri*
10-31-58	4805	Froz. Veg.	6,300	Burley, Idaho	Kansas City, Kansas
			4,725	Burley, Idaho	Pittsburgh, Kansas
			4,725	Burley, Idaho	Topeka, Kansas
			18,900	*Burley, Idaho*	*Kansas City, Missouri*
11- 5-58	4833	Froz. Veg.	6,350	*Idaho Falls, Id.*	*Springfield, Missouri*
			28,578	Idaho Falls, Id.	Ft. Smith, Arkansas
12-10-58	4976	Froz. Veg.	34,608	*Idaho Falls, Id.*	*St. Louis, Missouri*

The foregoing entries represent a clear showing of bona fide operation during the critical period, and warrant a

[9] The destination state indicated in this entry is apparently erroneous. The testimony indicates that the consignee was in fact located in Kansas City, Missouri. See Tr. 101 and compare Tr. 127.

grant of authority to transport frozen fruits, vegetables, and berries from points in Idaho to Kansas City, Springfield, and St. Louis, Missouri.

[fol. 652] II. The Commission's Grant Of Authority To Transport Frozen Fish In The Same Vehicle With Formerly Exempt Commodities Is So Improperly Limited As To Destroy Shaw's Ability To Continue To Transport Such Commodities.

Shaw introduced evidence at the hearing in this proceeding that it had transported frozen fish in the same vehicle with frozen fruits, vegetables, and berries, during the "grandfather" period. Following the views expressed in *Blair M. Lewis Common Carrier "Grandfather" Application*, 82 M.C.C. 755, 759, 760, Division 1 granted Shaw authority to transport

> "Frozen fish, when moving in the same vehicle *and at the same time* with frozen fruits, frozen vegetables, or frozen berries from Seattle, Wash., and Astoria, Oreg. to points in Arkansas, Kansas, Missouri, and Oklahoma; and from San Francisco, Monterey, San Jose, and Los Angeles, Calif. to points in Arkansas, Kansas, Missouri, Oklahoma, Iowa, Nebraska, and Texas." (Emphasis added)

Under the terms of that grant Shaw would be barred, under any circumstances, from loading frozen fish at Twin Falls, Idaho, in a vehicle previously loaded with "grandfather" commodities, despite a clear showing of such activity during the "grandfather" period. Moreover, the terms of the Commission's grant would improperly destroy the required substantial parity with Shaw's "grandfather" transportation of frozen fish from any and all points. This is apparent from a fair reading of Applicant's Exhibits 20 and 22. Exhibit 20 shows Shaw's transportation of frozen fish in the critical period. A comparison of the "pro" numbers in that Exhibit with those in Exhibit 22 (Shaw's "frozen fruits, berries, and vegetables" exhibit) will demonstrate that the Division's grant would destroy rather than maintain parity with "grandfather" operations:

Frozen fish are declared exempt by the 1958 amendments. So long as that commodity is transported alone in a carrier's [fol. 653] vehicle, its transportation may be accomplished without authority from this Commission. It is only when a non-exempt commodity is placed in the vehicle that authority is required. Comparison of the evidence with the grant of Division 1 will show, however, that authority was granted to transport frozen fish in the same vehicle and "at the same time" with now non-exempt commodities, from origin points where fish and non-exempt commodities were shown to have been loaded *at that point* in the same vehicle. But no such authority was granted from origin points where non-exempt commodities were first loaded in the same vehicle which had moved from the origin of the frozen fish shipment transporting only frozen fish. For example, the following instances of "grandfather" transportation performed by Shaw will show that authority was denied from precisely those origins where it is necessary to maintain substantial parity:

1. Pro number 3904 (App. Ex. 20, p. 2; Ex. 22, p. 40) dated February 2, 1958, shows that Shaw's vehicle took on a shipment of fish at Twin Falls, Idaho, after previously picking up frozen berries and vegetables in Washington and Oregon. No authority was granted to transport frozen fish from Idaho.[10]

[fol. 654] 2. Pro number 4095 (App. Ex. 20, p. 2; Ex. 22, p. 43) dated March 31, 1958, indicates, from the locations of the involved origins and destinations, that Shaw's vehicle loaded a shipment of frozen fish only at Seattle, and thence proceeded to Ridgefield, Washington and Ontario, Oregon to load frozen vegetables and berries. No authority would be required for the Seattle-

[10] See also, and compare, similar instances involving partial loading of fish at Twin Falls after prior pick-ups of frozen fruits, vegetables, and berries:

Pro. No.	*Date*	*Ex. 20 page*	*Ex. 22 page*
4037	3-15-58	2	42
4165	4-17-58	2	44
4306	6-3-58	2	46
4449	7-15-58	2	48
4523	8-6-58	2	49

Ridgefield segment of this trip. It would be required, however, from Ridgefield, the point at which the load of fish was mixed with now non-exempt commodities. No such authority was granted, however.

3. Pro number 4138 (App. Ex. 20, p. 2; Ex. 22, p. 44) dated April 8, 1958, shows that Shaw transported a shipment of frozen fish from Monterey, California in the same vehicle which transported frozen fruits and vegetables from Modesto, Sanger, Santa Clara, and Watsonville, California. It is not clear from these exhibits, and the relative locations of the origin and destination points, whether or not the fish shipment from Monterey was the first shipment loaded in the vehicle. It is clear, however, that the grant of authority proposed by Division 1 would today limit Shaw's flexibility in conducting that operation by requiring some now non-exempt item to be in the vehicle when the frozen fish shipment is picked up at Monterey. This is so since the proposed grant does not authorize the *regulated* transportation of fish to begin at any of the other origins shown in this shipment.[11]

[fol. 655] These examples are illustrative of the sharp limitation imposed upon Shaw's operations by Division 1's disposition of Shaw's request for "frozen fish" authority. As the proposed authority presently stands, it appears that Shaw can combine frozen fish with fruits, vegetables, or berries only at the points where fish shipments originate, and at no other points. Shaw could not, for example, move a partial load of fish from San Francisco to Sanger, California, for combination at the latter point with a frozen vegetable shipment, since that would not be a shipment of fish "when moving in the same vehicle *and at the same time* with frozen . . . vegetables . . . from . . . San Francisco . . ." That kind of limitation can be removed, and substantial parity with "grandfather" operations restored, only by

[11] A similar restrictive result is shown at the same pages of these exhibits, by Pro number 4078; at Ex. 20, p. 2 and Ex. 22, p. 41, by Pro number 3964; at Ex. 20, p. 2 and Ex. 22, p. 45, by Pro number 4225A; at Ex. 20, p. 2 and Ex. 22, p. 49, by Pro number 4481.

granting authority to Shaw to transport "frozen fish when moving in the same vehicle with frozen fruits, frozen vegetables, or frozen berries," from points in all three of the Pacific Coast states and Idaho to all destination points and states to which Shaw is ultimately granted authority to transport frozen fruits, vegetables, and berries, from each of those origin states. Only then will Shaw clearly have authority to combine, as in its "grandfather" operations, frozen fish shipments originating at Pacific Coast points (and Twin Falls, Idaho) with now non-exempt commodities added to the vehicle at inland origin points.

Conclusion

The specific examples, cited in this Petition, of error in the Report and Order of Division 1 are illustrative rather than exhaustive. Shaw submits, for the reasons recited in its exceptions and reply to exceptions to the Examiner's Report, as well as those presented here, that the evidence of record requires reconsideration of the Report and Order [fol. 656] of Division 1 and, on reconsideration, a grant of authority commensurate, in geographic scope and commodity description, with that sought by the application in this proceeding.

Respectfully submitted,

A. Alvis Layne, Lester M. Bridgeman, Pennsylvania Building, Washington 4, D.C.;

John H. Joyce, 26 North College, Fayetteville, Arkansas,

Attorneys for Applicant, Willis Shaw Frozen Express, Inc.

Certificate of Service (omitted in printing).

[fol. 657]

APPENDIX "A" TO PETITION FOR RECONSIDERATION

Authority recommended by the Examiner:

(a) Frozen fruits, frozen berries, and frozen vegetables, (1) from Burley, Caldwell, and Nampa, Idaho, and points in California, Oregon, and Washington, to Denver, Colorado, Detroit, Michigan, Omaha, Nebraska, and points in Arkansas, Illinois, Iowa, Kansas, Missouri, Oklahoma, and Texas, (2) from Little Rock, Arkansas, and from points in that part of Arkansas on, north, and west of a line beginning at the Arkansas-Oklahoma State line near Fort Smith, Arkansas, and extending along Arkansas Highway 22 to Dardanelle, Arkansas, thence northward along Arkansas Highway 7 to Harrison, Arkansas, and thence along U. S. Highway 65 to the Arkansas-Missouri State line, to points in Illinois, Michigan, Missouri, and Texas, (3) from points in Minnesota on the south of U. S. Highway 14 to Omaha, Nebraska, and points in Arkansas, Kansas, Missouri, and Oklahoma, (4) from points in the lower peninsula of Michigan to Omaha, Nebraska, and points in Kansas, Missouri, and Oklahoma, (5) from Kansas City, Kansas, Kansas City, Missouri, Omaha, Nebraska, and Oklahoma City, Oklahoma, to points in California and Oregon, (6) from Omaha to points in Arkansas, and (7) from Chicago, Illinois, to Kansas City, Missouri, and (b) of frozen fish when moving in the same vehicle with frozen fruits, frozen berries, or frozen vegetables, from Monterey, San Jose, San Francisco, and Los Angeles, California, Idaho Falls and Twin Falls, Idaho, Astoria, Oregon, and Seattle, Washington, to points in Arkansas, Illinois, Iowa, Kansas, Missouri, Oklahoma, and Texas, all over irregular routes.

[fol. 658]

APPENDIX "B" TO PETITION FOR RECONSIDERATION

Authority as granted by Division 1:

(a) frozen fruit, frozen berries, and frozen vegetables

(1) from points in California, Oregon, and Washington to points in Arkansas, Kansas, Missouri, and Oklahoma.

(2) from points in California to points in Iowa, Nebraska, and Texas.

(3) from Chicago, Illinois to Kansas City, Mo.

(4) from points in the Lower Peninsula of Michigan to Kansas City, Missouri.

(b) frozen fruit

(1) from Omaha, Nebraska to Modesto, Calif.

(2) from points in the Lower Peninsula of Michigan to St. Joseph, Missouri, Oklahoma City, Oklahoma, Omaha, Nebraska, and points in Kansas.

(c) frozen vegetables

(1) from Omaha, Nebraska to points in Arkansas.

(2) from Ft. Smith, Arkansas to Detroit, Mich., Miami and Jacksonville, Florida, and San Francisco, California.

(3) from points in Delaware to points in Arkansas.

(4) from points in Minnesota on and south of U. S. Highway 14 to Omaha, Nebraska, Kansas City and St. Joseph, Missouri, Oklahoma City, Oklahoma, and points in Arkansas and Kansas.

(d) frozen berries from Fort Smith, Arkansas to Chicago, Illinois.

(e) frozen fish when moving in the same vehicle and at the same time with frozen fruits, frozen vegetables, or frozen berries from Seattle, Washington, and Astoria, Oregon, to points in Arkansas, Kansas, Missouri, and Oklahoma; and from San Francisco, Monterey, San Jose, and Los Angeles, California, to points in Arkansas, Kansas, Missouri, Oklahoma, Iowa, Nebraska, and Texas.

[fol. 662]

BEFORE THE INTERSTATE COMMERCE COMMISSION

Docket No. MC-117119 Sub No. 2

In the Matter of

WILLIS SHAW FROZEN EXPRESS, INC., Common Carrier "Grandfather" Application

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REPLY TO PETITION FOR RECONSIDERATION—
Filed December 26, 1961

Comes now Pacific Intermountain Express Co., protestant in the above-entitled proceeding, and for and on behalf of its reply to applicant's petition for reconsideration, respectfully shows:

Statement of Case

By application filed December 5, 1958, Willis Shaw Frozen Express, Inc. (hereinafter referred to as Shaw) seeks a certificate under the "grandfather" provisions of Section 7(c) of the Transportation Act of 1958, authorizing operation in interstate and foreign commerce as a common carrier by motor vehicle of frozen fruits, frozen berries and frozen vegetables from points in 35 specified states to points in the same 35 states as specifically set forth by the application, over irregular routes.

Hearing was held thereon October 24, 1960, at Dallas, Texas, before an Examiner. The application was opposed by numerous rail carriers and motor carriers. The Examiner recommended that the application be granted in part.

[fol. 663] Exceptions were filed by applicant and by this protestant. Replies to the other's exceptions were filed by applicant and by protestant. Division 1, by its decision of September 27, 1961, served October 5, 1961, approved the issuance of a certificate authorizing the continuance of such operations as were found to have been conducted by applicant on May 1, 1958, and continuously since that time, as follows:

(a) frozen fruit, frozen berries, and frozen vegetables

(1) from points in California, Oregon, and Washington to points in Arkansas, Kansas, Missouri, and Oklahoma.

(2) from points in California to points in Iowa, Nebraska, and Texas.

(3) from Chicago, Ill., to Kansas City, Mo.

(4) from points in the Lower Peninsula of Michigan to Kansas City, Mo.

(b) frozen fruit

(1) from Omaha, Nebr., to Modesto, Calif.

(2) from points in the Lower Peninsula of Michigan to St. Joseph, Mo., Oklahoma City, Okla., Omaha, Nebr., and points in Kansas

(c) frozen vegetables

(1) from Omaha, Nebr., to points in Arkansas

(2) from Ft. Smith, Ark., to Detroit, Mich., Miami and Jacksonville, Fla., and San Francisco, Calif.

(3) from points in Delaware to points in Arkansas

(4) from points in Minnesota on and south of U. S. Highway 14 to Omaha, Nebr., Kansas City and St. Joseph, Mo., Oklahoma City, Okla., and points in Arkansas and Kansas

(d) frozen berries from Fort Smith, Ark., to Chicago, Ill.

(e) frozen fish when moving in the same vehicle and at the same time with frozen fruits, frozen vegetables, or frozen berries from Seattle, Wash., and Astoria, Oreg., to points in Arkansas, Kansas, Missouri, and Oklahoma; and from San Francisco, Monterey, San Jose, and Los Angeles, Calif., to points in Arkansas, Kansas, Missouri, Oklahoma, Iowa, Nebraska, and Texas. (p. 12-13, Division Report)

[fol. 664] and that the application in all other respects should be denied. The order by Division 1 differs somewhat from that recommended by the Examiner in commodity authorization and in territorial scope to be certificated.

Applicant by its petition dated December 1, 1961, seeks reconsideration by the full Commission of the Division order, and requests that it be issued a certificate authorizing transportation of all commodities and to and from all points in 35 states named in its application.

Preliminary Statement

Applicant would urge upon your Commission its claim of right under the "grandfather" provisions of Section 7(c), Transportation Act of 1958, beyond that to which it was found by Division 1 to be entitled, and even beyond the overly liberal recommended grant by the Examiner. Appendix 1 to applicant's exceptions was apparently intended to demonstrate transportation performed by it to and from points not embraced within the authority recommended by the report and order of the hearing officer. An analysis of Appendix 1 was made by this protestant and set forth on pages 2, 3 and 4 of protestant's reply to exceptions of applicant. Protestant respectfully requests that its excep-

tions and its reply to exceptions of applicant be referred to when considering applicant's petition for reconsideration. Applicant on page 3 of its petition readily admits:

> "The Examiner, nevertheless, proposed a grant of authority limited in geographic scope relative to the operations shown by the evidence to have been carried on by Shaw in the critical period."

Applicant thereby concedes by its own pleading that it is seeking authority in geographic scope far beyond the territory in which operations were carried on in the critical period.

[fol. 665] Applicant has previously stated by its exceptions, pages 5 and 6, that its "transportation business was built on the outbound movement of poultry from Arkansas with return to the middlewest and southwest of refrigerated exempt commodities", also "It is nevertheless apparent that the flow of the poultry placed refrigerated equipment in the outlying states and made it necessary for applicant to obtain loads of the then exempt frozen fruit, berries and vegetables on the return." Applicant's transportation service available to the public for the transportation of commodities made subject to regulation by Section 7, supra, thereby was dependent on the ability of applicant to obtain loads of poultry moving into "the outlying states."

The transportation of frozen potato products originating in the Pacific Northwest states, Idaho, Oregon and Washington, was indulged in only occasionally by applicant on and before May 1, 1958. Thereafter this portion of applicant's transportation of backhaul increased by leaps and bounds. Applicant's Exhibit No. 22 and Appendix "A" to this protestant's exceptions reflect that for the year 1957, 16 of such shipments were listed on Exhibit 22; 1958, 66 shipments; 1959, 144 shipments; and 1960 through October 20, 199 shipments. During the 1960 period the total entries listed on Exhibit 22 showing origins in Idaho, Oregon and Washington amounted to 311 shipments. The conclusion, therefore, is inescapable that the commodities that were never considered as exempt by your Commission, or ruled

so by the courts, were the more attractive to applicant. Shipments of frozen potato products in straight or mixed shipments constituted 64 per cent of the total frozen traffic originated by applicant in the three-state area, January 1 through October 20, 1960.

[fol. 666] Although the BOR 1 filing by applicant states that it originated shipments in each of 35 states, applicant failed to show that on and before May 1, 1958, it originated a single shipment at any point in 16 of the 35 states, namely, Alabama, Arizona, Colorado, Florida, Georgia, Indiana, Iowa, Kentucky, Louisiana, Massachusetts, Mississippi, New Jersey, New Mexico, Ohio, Tennessee and Utah. No shipments are shown as being originated by applicant at any time at points in 7 states, namely, Alabama, Florida, Indiana, Kentucky, Massachusetts, Mississippi and New Mexico. There was limited transportation shown by applicant on shipments originating at points in Maryland and Wisconsin prior to 1957 but none thereafter. As heretofore stated and as admitted by applicant, shipments listed on Exhibit 22, originating at Ontario, Oreg., Zillah, Wash., and at points in Idaho, consisted wholly or in part of frozen potato items such as french fries, crinkle cuts, hash browns, and similar frozen foods.

Applicant's transportation of shipments originating in several states on and before May 1, 1958, and/or thereafter was infrequent and sporadic as shown by Exhibit 22. They are Delaware,* Illinois,** Kansas, Missouri, New York, Oklahoma, Pennsylvania and Texas.

The origin states where applicant seemed to have demonstrated some consistent and continuous transportation of frozen fruit, frozen berries and/or frozen vegetables of some substantiality, to any destination points or states are [fol. 667] Arkansas, California, Michigan (Lower Penin-

* Division 1 approved the issuance of authority for the transportation of frozen vegetables from points in Delaware to points in Arkansas.

** Division 1 approved the issuance of authority for the transportation of frozen fruit, frozen berries and frozen vegetables from Chicago, Ill., to Kansas City, Mo.

sula), Minnesota, Nebraska, Oregon, and Washington. These seven states with the possible addition of Delaware* and Illinois,** are all that may be considered for the issuance of a certificate under the provisions of the statute.

Applicant has throughout its petition admitted of the limited transportation it has performed in the 35-state area which it seeks to have certificated. It admits that in areas where frozen vegetables, as an example, were recommended or approved for the issuance of a certificate, such was the only commodity class transported during the critical period. It further admits that the grant of authority proposed by the Examiner was relative to the operations shown by the evidence to have been carried on in the critical time period. It admits also that it was engaged extensively in the transportation of frozen potato products determined by the Commission, and which determination was adopted by Congress, to have been non-exempt commodities prior to and since the enactment into law of the Transportation Act of 1958. Protestant contended by its exceptions that the authority recommended by the Examiner to be granted was entirely too liberal. Division 1 by its order has to a substantial degree supported that contention.

[fol. 668] **Argument**

I.

The evidence does not warrant a grant of authority beyond that authorized by Division 1 to be certificated.

A) Section 7(c) not only requires that applicant be in bona fide operation on May 1, 1958, but further that applicant *"has so operated since that time."* (Emphasis added.)

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* Division 1 approved the issuance of authority for the transportation of frozen vegetables from points in Delaware to points in Arkansas.

** Division 1 approved the issuance of authority for the transportation of frozen fruit, frozen berries and frozen vegetables from Chicago, Ill., to Kansas City, Mo.

B) The Commission has no alternative but to restrict the commodity scope to the particular class of commodities being transported, where as here, the operations of applicant have been extremely limited in certain areas.

C) Applicant's inferences notwithstanding, Division 1 has not eliminated points and territories embraced within applicant's operations on the critical date and to or from which applicant *"has so operated since that time."* (Emphasis added.)

Division 1 by its order in *MC-117724, Produce Transport Dispatch Common Carrier "Grandfather" Application* decided February 14, 1961, 84 M.C.C. 451, set forth certain statutory standards which appropriately must be applied here in determining the bona fides of applicant's operation on May 1, 1958, and continuously thereafter, as to territory, the holding out of service, and commodity classes, as follows:

"In proceedings of this nature an applicant is required to establish that it was in bona fide operation on May 1, 1958, and continuously thereafter. This statutory standard had been construed to connote actual, substantial service as distinguished from the mere holding out of service. *Long Common Carrier Application,* 81 M.C.C. 689, citing, among other cases, *United States* v. *Carolina Freight Carriers Corp., supra.* Stated in other words, the requirement of bona fide operation does not comprehend a grant of 'grandfather' authority other than between points actually served both on and continuously after the critical date, unless the substantiality of the operations involved reflect an area-wide pattern of service. We do not agree with applicants' contention that shipments of the three involved [fol. 669] commodities transported by them should be viewed collectively in establishing their bona fide operation. *United States* v. *Carolina Freight Carriers Corp., supra,* upon which applicants primarily rely in support of this argument, discussed a 'grandfather' application to transport 'general commodities.' There,

the Supreme Court stated that ' . . . if the applicant has carried a wide variety of general commodities, he cannot necessarily be denied the right to carry others of the same class merely because he never carried them before . . . ' Section 7 of the Transportation Act of 1958 clearly enumerates several specific classes of commodities, including frozen fruits, frozen berries, and frozen vegetables, to which 'grandfather' applications may be directed. In our opinion, applicants here must establish their bona fide operation separately with respect to each commodity class involved."

Applicant has indicated a holding out of service in support of its claim of "grandfather" authority between all points in 35 states, and further that it was prohibited by principles of common law to refuse service on particular commodities. Both points of argument must be set aside as not squaring with the evidence of record.

The holding out of service by applicant is by its own admission limited primarily to a successful holding out to transport frozen poultry from Arkansas to "points in outlying states." If shipments of poultry were moved by applicant into a particular destination area, it was then necessary to obtain a load of frozen fruit, frozen berries or frozen vegetables for its return haul. We submit that such is not a true holding out, but rather transportation for applicant's own convenience and its need for backhaul revenue. Obviously, shippers of commodities here involved, located in many of the states embraced in the application, would have no opportunity to request of applicant transportation services, except on those rare occasions when it moved a load of poultry into the general area of the shipper's place of business. Applicant thereby would seldom, if ever, be confronted with the opportunity of refusing service to a shipper of frozen fruit, frozen berries or frozen [fol. 670] vegetables. During those extended intervals when applicant had no need for backhaul resulting from its forward haul of poultry into a particular point or territory, shippers of frozen fruit, frozen berries and frozen vegetables employed the services of other carriers having re-

frigerated equipment readily available for their transportation needs. Those carriers no doubt have applied for, and should rightfully be granted, certificates to continue the transportation which applicant herein failed to provide. This protestant requests your Commission take official notice of the several hundred applications it received, seeking certificates to authorize the continuance of operations to and from points in the same 35 states, requested by this applicant for certification.

The examples shown on page 17 of applicant's petition, apparently intended to support its claim for broad territorial rights, only emphasize the frailties of its argument. Admittedly applicant transported on an infrequent basis shipments from points in California to Galesburg and Macomb, Ill., on and before May 1, 1958, but no such transportation was performed thereafter. Similarly, Albuquerque, N. Mex., was served prior to the "grandfather" date but no evidence was offered to show the continuity of such transportation. Exhibit 22 reflected no California to New Mexico shipments subsequent to March 20, 1958.

D) The Division rightfully rejected applicant's claim of "grandfather" authority supported by evidence of transportation of frozen potato products.

The "frozen potatoes" which applicant refers to in its petition are frozen potato products which, as heretofore stated, have previously been subject to certificate requirements and were not made subject to regulation by the 1958 Transportation Act. Applicant's contention that evidence [fol. 671] involving the transportation of frozen potato products should be considered by the Commission, is overruled by the decision in *Milk Transport, Inc.*, v. *Interstate Commerce Commission*, et al., United States District Court, District of Minnesota, Third Division, December 19, 1960, 14 F.C.C. 81536, recently affirmed per curiam, wherein it was stated:

> "The essential provisions of Sections 7(c) and 7(a) have been previously quoted in this memorandum. The primary question in resolving this dispute is the determination of what the words 'made subject to' mean

in the context of the statute. Plaintiff contends the phrase means that all commodities in Section 7(a), including those in Ruling 107 in the first proviso are subjected to the requirements of Part II of the Act. Defendants argue that the only items 'made subject to' Part II are the eleven specified commodities in the second proviso. No determination as to the status of several of these commodities had ever been made, but Ruling 107 listed most of the eleven items as having been found 'exempt' by the courts or the Commission, and defendants contend that these items were being brought back under regulation by Section 7(a). They argue that Congress gave 'grandfather' rights only to carriers which had been legitimately hauling these eleven commodities.

"We agree with the defendants' interpretation of Section 7(c). Congress did not have to make the items in Ruling 107 subject to the Act, with the exception of the eleven commodities which had either been declared 'exempt' or on which no ruling had been made. It is perhaps true, as plaintiff argues, that Congress would have specifically afforded 'grandfather' rights to citrus juices had they been declared 'exempt' in any appropriate controversy which reached the courts. Remembering, however, that Congress could limit 'grandfather' benefits as it chose, it matters only that Congress gave its approval to the Commission's characterization of citrus juices as 'non-exempt' commodities. Citrus juices had been held 'non-exempt' prior to 1958 by the Commission, *Watkins Motor Lines, Inc., Interpretation*, 64 M.C.C. 455 (Division 1, 1955), and Congress was providing 'grandfather' rights only for carriers of those eleven commodities which had been 'exempt' and were being specifically made 'non-exempt.'"

[fol. 672] The above-referenced court ruling offers ample support to the findings of the Commission on reconsideration in *Panther Oil and Grease Manufacturing Company, Inc., Contract Carrier "Grandfather" Application*, decided February 9, 1961, 84 M.C.C. 393, in part as follows:

"It is well established that both frozen fruit juice and frozen french-fried potatoes are regulated commodities, which may not be transported for compensation without appropriate authority from this Commission. *Watkins Motor Lines, Inc., Interpretation of Certificate,* 64 M.C.C. 455, and *Midwest Coast Transport, Inc., Extension—Montana,* 74 M.C.C. 1. It is clear, therefore, that the partial exemption of section 203(b)(6) of the Interstate Commerce Act was not applicable to any of those shipments of frozen fruits and frozen vegetables transported by applicant in the same vehicle and at the same time with regulated commodities. See *Midwest Coast Transport, Inc., Extension—Montana, supra.* The proportion of regulated commodities moving along with exempt commodities is immaterial since the presence of any amount of the former destroys the exemption of the latter. Section 7(c) of the Transportation Act of 1958 provides 'grand father' rights only as to transportation of property made subject to economic regulation by the second proviso of section 7(a) of those 1958 amendments. Inasmuch as applicant's mixed shipments were not made subject to regulation but rather were previously subject to regulation, they cannot now be considered in establishing applicant's claim to 'grandfather' rights. Compare *Lewis Common Carrier Application,* 82 M.C.C. 755."

Applicant must therefore concede that not only the frozen potato products were non-exempt but also the frozen fruits, frozen berries, frozen vegetables or frozen fish transported in the same vehicle with the potato products were regulated commodities. The frozen fruits, berries, vegetables or fish were, therefore, subject to certificate requirements and could not be made subject to regulation by the provisions of the Transportation Act of 1958.

Applicant attempts to expand the authority approved by Division 1 to include frozen fruits, frozen berries, and frozen vegetables from points in Idaho to Kansas City, [fol. 673] Springfield and St. Louis, Mo. The examples of

operations conducted as shown by applicant's petition, page 25, involved transportation of frozen potato products. For the reasons heretofore stated such attempt must be rejected.

II.

The authority approved by Division 1 for the transportation of frozen fish in the same vehicle with frozen fruits, frozen berries or frozen vegetables was not limited by the Division to the extent the evidence would seem to require.

The evidence offered by applicant to support its claim of 'grandfather' authority for the transportation of frozen fish showed that of the 14 mixed loads of fish in the same vehicle with other commodities transported on or before May 1, 1958, 6 of such loads also included frozen potato products. The 8 mixed loads which apparently were made up of frozen fish and frozen berries and/or vegetables, originated at Everett, Wash., Monterey, Calif., Buhl and Twin Falls, Ida., Vancouver, B.C., and Astoria, Oreg. The only destination of the 8 shipments was Kansas City, Mo., although one shipment was split between Smith Center, Kans., and Kansas City, Mo. No transportation of fish in mixed loads was shown originating at Monterey, Calif., after May 1, 1958. See Exhibits 20 and 22 and Appendix "C" to protestant's exceptions.

This protestant, in noting that Division 1 approved the issuance of a certificate for the transportation of fish in mixed loads with frozen fruits, frozen berries and frozen vegetables, from Seattle, Wash., and Astoria, Ore., to all points in 4 midwestern states, and from San Francisco, [fol. 674] Monterey, San Jose and Los Angeles, Calif., to all points in 7 states, cannot conceive of applicant contending for additional authority on fish in mixed loads. Its apparent dissatisfaction with the liberal treatment it was afforded by the Division is incomprehensible.

Conclusions

The conclusions and findings of Division 1 have been eminently fair to applicant. The decision of the Division is in complete accord with the evidence of record and the

applicable law, except where, as shown by this reply, some discretionary liberality, favorable to applicant, may have been extended. Applicant's claim of error is without foundation. Its request for a grant of authority beyond that ordered by Division 1 is entirely unsupported and must be rejected by your Commission on reconsideration.

Wherefore, Protestant prays that applicant's petition for reconsideration be denied; or as an alternative, that on reconsideration the authority granted be further limited as it relates to frozen fish in mixed loads with frozen fruits, frozen berries and/or frozen vegetables.

Respectfully submitted,

Pacific Intermountain Express Co.
Earl J. Brooks, Registered Practitioner.

Earl J. Brooks, 1417 Clay Street, P.O. Box 958, Oakland 4, California.

Certificate of Service (omitted in printing).

[fol. 676] Service Date (omitted in printing).

BEFORE THE INTERSTATE COMMERCE COMMISSION

WILLIS SHAW FROZEN EXPRESS, INC., COMMON CARRIER "GRANDFATHER" APPLICATION

No. MC-117119 (Sub-No. 2)

ORDER—February 7, 1962

Upon consideration of the record in the above-entitled proceeding, and of:

(1) Petition of Willis Shaw Frozen Express, Inc., applicant filed December 1, 1961, for reconsideration;

(2) Reply by Pacific Intermountain Express Co., protestant, filed December 26, 1961;

and good cause appearing therefor:

It is ordered, That the said petition be, and it is hereby, denied, for the reason that the findings of Division 1 are in accordance with the evidence and the applicable law;

It is further ordered, That the order of September 27, 1961, as postponed pursuant to section 17(8) of the Interstate Commerce Act, be, and it is hereby, reinstated and the effective date is fixed as March 30, 1962;

It is further ordered, That, unless compliance is made by applicant with the requirements of Sections 215, 217 and 221(c) of the Interstate Commerce Act, within 90 days of service of this order, or within such additional time as may be authorized by the Commission, the grant of authority made in the report and order entered herein on September 27, 1961, shall be considered as null and void, and the application shall stand denied in its entirety effective upon expiration of the said compliance time.

By the Commission, Division 1, Acting as an Appellate Division.

Harold D. McCoy, Secretary.

(Seal)

[fol. 679] [File endorsement omitted]

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF ARKANSAS
Civil Action No. 459

WILLIS SHAW FROZEN EXPRESS, INC., a corporation
Elm Springs, Arkansas, Plaintiff,

v.

UNITED STATES OF AMERICA and INTERSTATE
COMMERCE COMMISSION, Defendants.

COMPLAINT—Filed March 29, 1962

This is an action to review, enjoin, suspend and set aside orders of the Interstate Commerce Commission. This Court has jurisdiction of this action under §§ 205 (g), (h) and 17 of the Interstate Commerce Act, 49 U.S.C. 305 (g), (h) and 17 under 28 U.S.C. §§ 1336, 1398, 2284, 2321-2325.

1. Plaintiff, Willis Shaw Frozen Express, Inc. (hereafter "plaintiff"), is a corporation organized and existing under the laws of Arkansas with its office and principal place of business at Elm Springs, Arkansas.

2. Plaintiff filed, pursuant to sections 7(b) and (c) of the Transportation Act of 1958, 49 U.S.C. §§ 203(b6) (b) and (c), with the Interstate Commerce Commission (hereafter Commission), on December 5, 1958 an application for a certificate of public convenience and necessity authorizing plaintiff to continue to engage as a motor common carrier in the interstate transportation of frozen fruits, berries and vegetables from and to points in Alabama, Arizona, Arkansas, California, Colorado, Delaware, Florida, Georgia, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Jersey, New Mexico, New York, Oklahoma, Oregon, Ohio, Pennsylvania, Tennessee, Texas, Utah, Virginia, Washington, and Wisconsin. The applica-

tion, assigned docket number MC 117119 (Sub-No. 2), also covered the transportation of the fruits, berries, and vegetables when moving in the same vehicle with certain other commodities including poultry and seafood exempt from [fol. 680] economic regulation under the provisions of the Interstate Commerce Act. Under the terms of section 7 (b) and (c) of the Transportation Act of 1958, plaintiff, upon appropriate application, is entitled to operating authority to continue bona fide operations performed in the transportation of these commodities by plaintiff or plaintiff's predecessor in interest on May 1, 1958 and which plaintiff has continued to perform since that date. Under the terms of section 7 (c) of the Transportation Act of 1958, the continuance of such operations by plaintiff pending determination of the application is lawful.

3. The application of plaintiff was assigned for hearing and initial decision to a Hearing Examiner of the Commission. A hearing was held before the Examiner on October 24, 1960 at which plaintiff submitted evidence in support of the application. A number of railroads and motor carriers appeared in opposition to the application. The Examiner, in a Report and Order served May 4, 1961, found plaintiff entitled under the provisions of Section 7 of the Transportation Act of 1958 to a certificate authorizing continuance of a substantial part but not all of the operations covered by plaintiff's application. A copy of the Report and Order of the Examiner is attached as Appendix A. Exceptions to the Report and Order of the Examiner were filed by a motor carrier opposing the application and by plaintiff.

4. Division 1 of the Commission, with one Commissioner dissenting in part, in a Report and Order dated September 27, 1962 and served October 5, 1961, denied a substantial part of authority covered by plaintiff's application including much of the authority to which the Examiner found plaintiff to be entitled. A copy of the Report and Order of Division 1 is attached as Appendix B. Division 1 of the Commission concluded to deny a substantial part of the authority covered by the application by excluding from consideration a substantial part of the transportation services performed by plaintiff or its predecessor in interest prior

and subsequent to May 1, 1958 in the transportation of frozen potatoes; by subjecting the operations conducted by plaintiff and its predecessor in interest to a process of atomization in terms of territories served and commodities transported; and by refusing to consider the scope of the [fol. 681] transportation services plaintiff and its predecessor in interest held out and had the ability to perform for the public in the transportation of frozen fruits, berries and vegetables including mixed loads of these commodities with other commodities exempt from regulation by the Commission.

5. Plaintiff requested reconsideration by the entire Commission of the Order of Division 1. Reconsideration was denied by order dated February 7, 1962 and served February 20, 1962. A copy of the Order of the entire Commission is attached as Appendix C. By the terms of this Order of the entire Commission the effective date of the Order of Division 1 has been fixed as March 30, 1962.

6. The Orders of the Commission dated September 27, 1961 and February 7, 1962 in proceeding docket number MC 117119 (Sub-No. 2) are erroneous and void as a matter of law for the reason that the Commission has failed to apply the standards set out in section 7 of the Transportation Act of 1958, 49 U.S.C. 203 (b6) (b) (c) to the application of plaintiff to continue its operations.

7. The Orders of the Commission dated September 27, 1961 and February 7, 1962 in proceeding docket number MC 117119 (Sub-No. 2) are erroneous and void as a matter of law for the reason that the Commission denied the application under an erroneous application and interpretation of section 7 of the Transportation Act of 1958, 49 U.S.C. 203 (b6) (b) and (c).

8. The Orders of the Commission dated September 27, 1961 and February 7, 1962 in proceeding docket number MC 117119 (Sub-No. 2) are erroneous and void as a matter of law for the reason that the Commission refused to consider relevant evidence in a proceeding under section 7 of the Transportation Act of 1958, 49 U.S.C. 203 (b6) (b) and (c).

9. The Order of the Commission dated September 27, 1961 and February 7, 1962 are erroneous and void as a matter of law for the reason that they are arbitrary and capricious and without foundation in substantial evidence in the record as a whole.

Wherefore, Plaintiff prays that:

1. Process issue against defendant, United States of America and the Interstate Commerce Commission;

[fol. 682] 2. The Court, as soon as may be practicable after filing of this complaint, call to its assistance for hearing and determination of the issues, two other judges, one of whom shall be a Circuit Judge as provided by 28 U.S.C. § 2284.

3. An order be issued by this Court enjoining, setting aside, annulling and suspending the orders of the Interstate Commerce Commission dated September 27, 1961 and February 7, 1962 in proceeding docket number MC 117119 (Sub-No. 2).

4. This Court grant plaintiff such other and further relief as may be lawful, just and proper in the premises.

John H. Joyce, 26 North College, Fayetteville, Arkansas, Attorney for Plaintiff.

A. Alvis Layne, Pennsylvania Building, Washington 4, D. C., Of Counsel.

[fol. 683] Appendix A—Report and order recommended by William J. Cave, Hearing Examiner, are omitted from the record here as they appear at printed page 324, side folio 526, supra.

[fol. 690] Appendix B—Report of the Commission, Division 1, appendix thereto, and order of September 27, 1961, are omitted from the record here as they appear at printed page 334, side folio 609, supra.

[fol. 701] Appendix C—Order of February 7, 1962, denying petition for reconsideration and reinstating order of September 27, 1961, is omitted here as appears at printed page 386, side folio 676, supra.

[fol. 702] [File endorsement omitted]

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF ARKANSAS
Civil Action No. 459

WILLIS SHAW FROZEN EXPRESS, INC., Plaintiff,

v.

UNITED STATES OF AMERICA and
INTERSTATE COMMERCE COMMISSION, Defendants.

JOINT ANSWER OF THE DEFENDANTS—Filed June 14, 1962

The United States of America and the Interstate Commerce Commission (the latter hereinafter called the "Commission"), defendants in the above-styled cause, answer the Plaintiff's Complaint therein filed as follows:

I.

Admit the allegations of paragraphs 1, 2, and 3.

II.

Admit the allegations of the first two sentences of paragraph 4, but deny the characterization of the report and order of Division 1 contained in the third sentence; for the proper interpretation to be placed upon such report, the court is respectfully referred to the said report, attached to the complaint as Appendix B.

III.

Admit the allegations of paragraph 5, except that they deny the statements in the last two sentences that the order of February 7, 1962, was an order issued by the [fol. 703] entire Commission; on the contrary, as appears by reference to Appendix C to the complaint, such order was

issued by Division 1 of the Commission, acting as an Appellate Division with respect to the effective date of the order mentioned in the last sentence of paragraph 5, the court is informed that subsequently, by orders of the Commission of March 30, 1962, and May 24, 1962, such effective date was postponed indefinitely. A copy of the last-mentioned order is attached to this Answer as Appendix A.

IV.

Deny the allegations of paragraphs 6, 7, 8, and 9.

V.

Except as expressly admitted herein, each and every allegation of the complaint is denied.

Wherefore, having fully answered, the defendants pray that the complaint be dismissed, and that judgment be rendered for the defendants.

Lee Loevinger, Assistant Attorney General.

John H. D. Wigger, Attorney, Department of Justice, Washington 25, D. C.

Charles M. Conway, United States Attorney, Fort Smith, Arkansas.

Attorneys for the United States of America.

Robert W. Ginnane, General Counsel.

James Y. Piper, Assistant General Counsel, Interstate Commerce Commission, Washington 25, D. C., Attorneys for the Interstate Commerce Commission.

[fol. 704]

APPENDIX "A" TO JOINT ANSWER

ORDER

INTERSTATE COMMERCE COMMISSION

No. MC-117119 (Sub-No. 2)

WILLIS SHAW FROZEN EXPRESS, INC.,
COMMON CARRIER "GRANDFATHER" APPLICATION

POSTPONEMENT OF EFFECTIVE DATE OF ORDER

PRESENT: HOWARD FREAS, Acting Chairman, to whom the above matter, which is the subject of this order, has been assigned for action thereon.

Upon consideration of the record in the above-entitled proceeding and the institution on March 29, 1962, of an action before the United States District Court for the Western District of Arkansas, Fayetteville Division, in Civil Action No. 459, *Willis Shaw Frozen Express, Inc.* v. *United States and Interstate Commerce Commission*, to enjoin annul, and set aside the report and orders entered September 27, 1961, and February 7, 1962, in the above-entitled proceeding; and good cause appearing therefor:

It is ordered, That the order of February 7, 1962, as modified by the order of March 30, 1962, be, and it is hereby, further modified by further postponing the effective and compliance dates until further order of the Commission.

Dated at Washington, D. C. this 24th day of May, A. D. 1962.

By the Commission, Acting Chairman Freas.

HAROLD D. McCOY
Secretary

(SEAL)

[fol. 705] Certificate of Service (omitted in printing).

[fol. 719]

IN THE UNITED STATES DISTRICT COURT

FOR THE WESTERN DISTRICT OF ARKANSAS

Civil Action No. 1655

WILLIS SHAW FROZEN EXPRESS, INC., A Corporation, Elm Springs, Arkansas, Plaintiff,

v.

UNITED STATES OF AMERICA and INTERSTATE COMMERCE COMMISSION, Defendants.

Before: M. C. Matthes, Circuit Judge, John E. Miller and J. Smith Henley, District Judges.

JUDGMENT—February 11, 1963

The court, having fully reviewed and considered the whole record, the brief of plaintiff submitted on July 17, 1962, in support of its complaint, the brief of defendants submitted on September 4, 1962, in opposition to the complaint, the arguments and contentions of the parties contained in the briefs and the oral argument of counsel, the pertinent authorities, together with a comparative statement of the operating authority to which the examiner found the plaintiff entitled under Sec. 7(c) of the Transportation Act of 1958 with that granted by the Commission, Division 1, in the report and order dated September 27, 1961, and contrary to the contentions of plaintiff, the court finds:

1. That the findings and conclusions of the Commission are not arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with the law;

2. That the Commission observed the procedure required by law;

[fol. 720] 3. That the findings of fact of the Commission, as set forth in its report and order dated September 27,

1961, and served October 5, 1961, are supported by substantial evidence;

4. That the Commission, in applying the provisions of Sec. 7(c) of the Transportation Act of 1958 (72 Stat. 573, following 49 U.S.C., Sec. 303), commonly referred to as the "grandfather" clause, correctly employed the statutory standards prescribed by Congress in said Act, and that said Commission did not use a new or different standard in interpreting the clause than it did in interpreting the "grandfather" clause of the predecessor statute, the Motor Carrier Act of 1935, 59 U.S.C., Sec. 306(a).

It Is, Therefore, Ordered and Adjudged that the complaint of plaintiff be, and is, dismissed.

This 11 day of February, 1963.

M. C. Matthes, United States Circuit Judge; Jno. E. Miller, United States District Judge; J. Smith Henley, United States District Judge.

[fol. 721] [File endorsement omitted]

IN THE UNITED STATES DISTRICT COURT

FOR THE WESTERN DISTRICT OF ARKANSAS

Civil Action No. 1655

WILLIS SHAW FROZEN EXPRESS, INC. a corporation, Plaintiff,

v.

UNITED STATES OF AMERICA and INTERSTATE COMMERCE COMMISSION, Defendants.

PLAINTIFF'S MOTION FOR REHEARING—
Filed February 15, 1963

Plaintiff moves the Court for rehearing. As specific grounds for rehearing plaintiff assigns the fact that the

United States and Interstate Commerce Commission, defendants in this action, did not appeal to the Supreme Court the judgment of the United States District Court for the Eastern District of Tennessee, Northern Division, entered November 23, 1962 in Civil Action No. 4413, *The Winter Garden Company, Inc.* v. *United States.* The Commission by Order dated January 31, 1963 has re-opened the *Winter Garden* case for further proceedings in accordance with the judgment of the District Court for the Eastern District of Tennessee.

During the oral argument before this Court a copy of the Opinion of the District Court in the *Winter Garden* case was furnished to the members of the Court. Inquiry was made of counsel whether an appeal had been or would be taken in the *Winter Garden* case. No responsive answer was made to the Court because the time for appeal had not then expired in the *Winter Garden* case.

The decision of the District Court in the *Winter Garden* case appears wholly contrary to and inconsistent with the conclusions announced by this Court in the Order dated February 11, 1963 in this case. Plaintiff submits that no real distinction can be made in the present case with that in the *Winter Garden* proceeding. Indeed no effort was made by counsel for the defendants to make any controlling distinction.

[fol. 722] Although a copy of the Opinion of the District Court in the *Winter Garden* case was made available to the members of this Court at oral argument a further copy is attached for the convenience of the Court.

Wherefore plaintiff respectfully request rehearing in this matter.

John H. Joyce, 26 North College, Fayetteville, Arkansas.

A. Alvis Layne, Pennsylvania Building, Washington 4, D. C.

Certificate of Service (omitted in printing).

[fol. 723]

ATTACHMENT TO PLAINTIFF'S MOTION FOR REHEARING

IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF TENNESSEE

NORTHERN DIVISION

Civil Action No. 4413

THE WINTER GARDEN COMPANY, INC., THE WINTER GARDEN FREEZER COMPANY, INC., Plaintiffs,

v.

UNITED STATES OF AMERICA and INTERSTATE COMMERCE COMMISSION, Defendants.

Before Shackelford Miller, Jr., Circuit Judge, Leslie R. Darr, Senior District Judge, and Robert L. Taylor, District Judge.

This is a combined action by the Winter Garden Company (hereinafter referred to as Garden) and by The Winter Garden Freezer Company (hereinafter referred to as Freezer) against the United States of America and the Interstate Commerce Commission (hereinafter called the Commission) to annul and set aside among other things the Commission's Orders of June 30, 1961 and December 26, 1961 relating to the "Grandfather" Application of Garden (No. MC-118025, referred to herein as 025) and to the "Grandfather" Application of Freezer (No. MC-118244), referred to herein as 244). The prayer asked further for "a decree declaring that Plaintiffs were in bona fide operation on May 1, 1958 and continuous (sic) since that time within the territory described in their Grandfather Applications and that the entire proceeding be remanded to the Defendant Commission for further consideration and new findings not inconsistent with the Court's decree . . . " Jurisdiction is derived from sections of the Interstate Commerce Act found in 49 U.S.C. secs. 17(9), 305(g) and

305(h); of the Administrative Procedure Act found in 5 U.S.C. sec. 1009 and in 28 U.S.C. secs. 1336, 1398, 2284, and 2325.

Both plaintiffs were packers and distributors of frozen foods, some of which were transported by plaintiffs in [fol. 724] their own or leased motor vehicles. Although Garden owned some of the stock of Freezer, the plaintiffs were otherwise unrelated. Garden's main plant and office was in Knoxville, Tennessee; Freezer's main plant and office, at Bells, Tennessee. The managements were distinct and unrelated.

In the course of time, each plaintiff organized a separate division for the transportation by motor vehicle of its products, some of which it owned at the time of shipment, and title to some of which, by contract with the purchasers, had passed to the latter before shipment. In order to make up full loads, it was the practice of each to combine in one shipment products which it owned and produced, title to which was in others. In the course of time, each plaintiff developed some business as common carriers for others especially on the return trips.

Until 1958, frozen fruits, berries and vegetables, which were principal products of each plaintiff, had been construed by the Courts to be agricultural or horticultural products, and motor vehicles by which they were shipped in interstate commerce had been held by the courts to be exempt from regulation by the Commission. By section 7 of the Transportation Act of 1958, (49 U.S.C. (b)(6), the provision applying to motor vehicles carrying agricultural and horticultural products was amended to exclude "frozen fruits, frozen berries, frozen vegetables . . ." However, by Section 7(c)[1] of the Act (49 U.S.C. following sec. 303), it

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[1] Pertinent portions of Sec. 7(c) follow:

"(c) Subject to the provisions of section 210 of the Interstate Commerce Act, if any person (or its predecessor in interest) was in bona fide operations on May 1, 1958, over any route or routes or within any territory in the transportation of prop-

was provided, in substance that if any person were in bona fide operation on May 1, 1958 and since that time, "within any territory", except for interruptions of service over which it had no control, the Commission shall issue a certificate or permit of the type warranted by the opera-[fol. 725] tion provided application were made within a stated time.

Application for the "grandfather" rights so provided was timely made by Garden in 025 and by Freezer in 244. The application for Garden was heard before an Examiner in Knoxville, Tennessee and that for Freezer before a different Examiner in Memphis, Tennessee. The Examiners made their findings, and exceptions were filed in each case by applicant, and by Gordon Transports, Inc. in 244. Protestant railroads and truck lines filed replies to applicant's exceptions in 025.

Exceptions in the two cases were heard by Division 1 of the Commission and disposed of in one report dated June 30, 1961. The Commission adopted the material facts found by the Examiners, but granted substantially lesser authority than was recommended by them.

In 025, applicant was granted authority to haul by motor vehicle over irregular routes:

"(1) frozen vegetables (a) from Knoxville, Tenn., to Birmingham, Ala., Houston, Del., Miami and Jacksonville,

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erty for compensation by motor vehicle made subject to the provisions of part II of that Act by paragraph (a) of this section, in interstate or foreign commerce, and has so operated since that time . . . except . . . as to interruptions of service over which such applicant . . . had no control, the Interstate Commerce Commission shall without further proceedings issue a certificate or permit, as the type of operation may warrant, authorizing such operations as a common or contract carrier by motor vehicle if application is made to the said Commission as provided in part II of the Interstate Commerce Act and within one hundred and twenty days after the date on which this section takes effect . . ."

Fla., Chicago, Ill., Louisville, Ky., Watertown, Mass., and St. Louis, Mo.; and (b) from Chattanooga, Tenn. to Watertown, Mass.; and

"(2) frozen vegetables and frozen berries (a) from Knoxville, Tenn., to Atlanta, Ga., Landover, Md., Omaha, Neb., Jersey City, N. J., Rochester, N. Y., and points in the New York, N. Y. commercial zone, as defined by the Commission, Oklahoma City, Okla., Philadelphia and Scranton, Pa., Houston, Tex., Richmond, Va., Milwaukee, Wis., and points in Michigan, North Carolina and Ohio; and (b) from Chattanooga, Tenn. to Oklahoma City, Okla."

The authority was granted, subject to the following conditions:

"(1) that applicant shall conduct its for-hire transportation operations separate from its other business activities, (2) that applicant shall maintain separate accounts and records for its private and for-hire carrier operations, and (3) that applicant shall not at the same time and in the [fol. 726] same vehicle transport property both as a for-hire and private carrier; and that the application in all other respects should be denied."

In 244, applicant was granted authority to haul by motor vehicle over irregular routes:

"Frozen fruits, frozen berries and frozen vegetables (1) from points in Tennessee to the District of Columbia, Little Rock and Searcy, Ark., Hartford, Conn., Houston, Del., Evansville and Indianapolis, Ind., Kansas City and Wichita, Kans., Louisville, Ky., Baltimore and Landover, Md., Boston and Worcester, Mass., Hopkins, Minn., St. Louis, Mo., Omaha, Nebr., Ardmore and Oklahoma City, Okla., Exmore, Va., and Milwaukee, Wis., and to points in Alabama, Florida, Georgia, Illinois, Louisiana, Michigan, Mississippi, New Jersey, New York, North Carolina, Ohio,

Pennsylvania, South Carolina, and Texas; (2) from Salisbury, Md., to Knoxville, Tenn.; (3) from Saginaw, Mich., to Knoxville and Nashville, Tenn.; (4) from Exmore, Va., to Charlotte, N. C., and Tampa, Fla.; (5) from Dallas, Tex., to Memphis, Tenn.; (6) from McAllen, Tex., to Little Rock, Ark.; and (7) from Modesto, Calif., to Knoxville and Nashville, Tenn., Birmingham, Ala., and Louisville, Ky."

The authority was granted, subject to the following conditions:

"(1) that applicant shall conduct its for-hire transportation separate from its other business activities, (2) that applicant shall maintain separate accounts and records for its private and for-hire operations, and (3) that applicant shall not at the same time and in the same vehicle transport property both as a for-hire and private carrier; and that the application in all other respects should be denied."

Commissioner Webb dissented in part, stating that the report of the majority of the Commissioners construed too rigidly the "grandfather" provisions of section 7(c) of the Transportation Act of 1958. He observed that although applicant did not serve certain origins and destinations "both before and after May 1, 1958, a greater territorial grant should have been made in order to give the applicants substantial parity of operations both before and [fol. 727] after the 'grandfather' date." He was of the opinion that authority should have been "granted in No. MC-118025 from all points in Tennessee", and in 244 he would have included "within the territorial grant authority from Tennessee to Maryland and Virginia points, and also from Texas points to points in Tennessee."

The changes granted by the Commission, as compared with the authority listed by the Examiners, are set forth in Footnote 2.[2]

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[2] In 025, Division 1 denied:

(1) Frozen berries from Knoxville, Tenn. to Louisville, Ky.;

(2) Frozen vegetables and berries from Knoxville, Tenn. to

(a) Asbury Park, N.J.;

Plaintiffs contend that the ultimate findings and conclusions of the Commission are not based upon lawful and proper statutory standards and exceed statutory powers and are, therefore, erroneous. They ask that such findings and conclusions be set aside and the proceedings remanded to the Commission for further consideration in accordance with proper statutory standards.

Plaintiffs further contend that the Commission's determination of applicants' scope of bona fide operations before

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(b) All points in New York State, except Rochester and New York, New York Commercial Zone;

(c) Lubbock, Tex.,

(d) Norfolk, Va.

(3) Frozen vegetables and berries from Bells, Tenn. to Lubbock and Houston, Tex.

Division 1 broadened the recommended grant for frozen vegetables from Knoxville, Tenn. to Grand Rapids, Detroit and Muskegon, Mich., to points in Michigan and broadened the grant to Raleigh, Charlotte and Biltmore, North Carolina to points in North Carolina.

In 244, Division 1

(1) Restricted the grant of authority for frozen fruits, berries and vegetables from all points in Tennessee to

(a) all points in Conn. by limiting the authority to Hartford;

(b) all points in Indiana by limiting the authority to Evansville and Indianapolis;

(c) all points in Mass. by limiting authority to Boston and Worcester;

(d) all points in Minnesota by limiting authority to Hopkins.

(2) Denied authority from Tenn. to Kansas City, Mo. and Ardmore, Okla.

(3) Restricted the authority from Salisbury, Md. to Tenn. by limiting it to Knoxville;

(4) Restricted the authority from Saginaw, Mich. to Tenn. by limiting it to Knoxville and Nashville;

(5) Restricted the authority from Exmore, Va. to North Carolina and Louisiana by limiting it to Charlotte, N.C. and Tampa, Fla., and

(6) Restricted the authority from Texas to Little Rock, Ark., Tennessee and Louisiana by limiting the authority

(a) from Dallas to Memphis, and

(b) from McAllen to Little Rock.

and after May 1, 1958 was based upon an improper and incomplete application of the pertinent statutory standards and is not supported by adequate and basic findings and is unsupported by substantial evidence; that the Commission exceeded its statutory powers by requiring the separation of plaintiffs' private and for-hire statutory operations; and, that the Commission was arbitrary and capricious in the exercise of its administrative discretion.

[fol. 728] Jurisdiction of a three-judge statutory District Court to review orders of the Commission is limited to the determination, whether the orders are within the statutory authority of the Commission, are based on adequate findings, and in turn are supported by substantial evidence. *Rochester Telephone Corp.* v. *U. S.*, 307 U. S. 125, 140, 146; *Miss. Barge Line Co.* v. *U. S.*, 292 U. S. 282, 286-287.

Congress has entrusted to the Commission "delineation of the area" which the carrier may serve. *U. S.* v. *Carolina Freight Carriers Corp.*, 315 U. S. 475, 480.

In the *Carolina Freight Carriers* case, the Court pointed out at pages 488 and 489 that the grounds for the Commission's determination, namely, that only certain commodities could be carried and only a few between destinated points, were not clear, and that it was impossible to determine from the report whether proper standards were used and applied to the facts in the record; that the defect in the decision was not merely one of absence of a suitably complete statement of the reasons for the decision, but also a lack of basic or essential findings of fact to support the decision. *Minneapolis & St. Louis Ry.* v. *United States*, 361 U. S. 173, 192-94 (1959); *Alabama G.S. ry.* v. *United States*, 340 U. S. 216, 227-28 (1951); *United States* v. *Pierce Auto Freight Lines*, 327 U. S. 515, 531-32 (1946).

The Commission's discretion must be exercised in conformity with the policies of Congress and the courts should evaluate the evidence to determine if the ruling of the Com-

[fol. 729] mission accords with public interest. *Schaffer Trans. Co.* v. *U. S.*, 355 U. S. 83, 88.

In the field of transportation, the Commission possesses expert knowledge and its judgment is entitled to a great deference because of its familiarity with the conditions in the motor transportation industry. *American Trucking Assns.* v. *U. S.*, 344 U. S. 298, 310; *East Texas Motor*

Freight Lines v. *Frozen Food Express*, 351 U.S. 49, 54. But there are limits upon its statutory powers as fixed by the Congress and the duty of the courts on judicial review is to determine those limits. *East Texas Motor Freight Lines* v. *Frozen Food Express*, supra, p. 54.

"Characteristics" of the transportation service involved, and the geographical area serviced, are relevant to the territorial scope of the operations that may be granted under the "grandfather" clause. *Alton R. R. Co.* v. *U. S.*, 315 U. S. 15, 21. "While the test of 'bona fide operation' within a specified 'territory' includes 'actual rather than potential or simulated service', *McDonald* v. *Thompson*, 305 U. S. 263, 266, it does not necessarily restrict operations to the precise points or areas already served." Irregular or sporadic trips may be due to the characteristics of the service. Characteristics of the service may have restricted the operation to a few points in a wide area which the carrier held itself out to serve. Characteristics of service have been taken into consideration in determining the scope of the territory covered by certificates under the "grandfather" clause. Operations on irregular routes within a wide territory have been authorized in cases of common carriers of household goods. *Bruce Transfer & Storage Co.*, 2 M.C.C. 150; *William J. Wruck*, 12 M.C.C. 150. Broad authority has been granted common carriers of oil field equipment and supplies. *Charles* v. *Greer, Jr.*, 3 M.C.C. 483; *Union City Transfer*, 7 M.C.C. 717; *L. C. Jones Trucking Co.*, 9 M.C.C. 740. A like result has been reached in case of automobile transporters. *Alton R. R. Co.* v. *U. S.*, 315 U. S. 15, 20.

[fol. 730] No. MC-118025

In 025, the Commission observed that plaintiff's operations were divided into two categories "(1) those from several points in Tennessee to points in other States, and (2) those from points in States other than Tennessee to points in several States, including Tennessee. Outbound operations performed by it from points in Tennessee have been predominantly from Knoxville, with a few scattered shipments having been handled from other origins. In view thereof, we do not believe applicant's past operations from points in Tennessee are sufficiently broad in scope so as to

entitle it to statewide authority, and out grant on this outbound traffic will be limited to specific origins . . . "

Plaintiffs' services are confined to points at which cold storage service facilities are located and these locations sometimes change from season to season.

The traffic available to plaintiffs is limited to frozen fruits, berries and vegetables.[3] These items are perishable, seasonal and are greatly dependent upon weather, crop and market conditions. Services rendered by the plaintiffs were primarily in less than truckload quantities, requiring multiple pick-ups and multiple deliveries, averaging, in the case of Garden, two or three, but occasionally running to seven stops, and at locations which changed from time to time.

The originating points for the frozen fruit, berry and vegetable traffic constantly change, depending upon the availability of cold-storage freezer space and varying crop conditions. Garden's operations have consisted of multiple pick-ups from various plants and storage points in Tennessee, such as Knoxville, Oak Ridge, Dayton and Chattanooga in East Tennessee, Nashville in Middle Tennessee, and Jackson, Bells and Memphis in West Tennessee.

Garden's authority was limited by the Commission, however, to Knoxville and Chattanooga as originating points. It has held itself out to serve all origins in Tennessee and its operations have followed the necessary storage point [fol. 731] changes dictated by the shippers' requirements. Abstracts of shipments presented by Winter Garden Company, Inc. listed Knoxville as the origin for most of its movements, but this was actually the starting point of the truck. The additional points at which the truck was stopped for completion of loading were not listed. The record is clear, however, that this plaintiff continued multiple pick-up service at eight widely-scattered origins throughout Tennessee, and its shipping documents presented during the course of the hearing confirmed the applicant's testimony to this effect.

We think the proof shows that the characteristics of this applicant's operations during the critical period from points

[3] Garden dropped its application with respect to fruits after filing its application.

in Tennessee were such as to entitle it to statewide authority for outbound traffic and that the Commission in holding to the contrary acted arbitrarily and without supporting evidence.

The report and order of the Commission indicates that the sole test employed by it for destination points was predominance of movement without regard to the changing characteristics of this traffic. The record shows that the destination points of frozen fruit, berry and vegetable traffic constantly change with the availability of freezer space, crop conditions, and changes in prices, marketing practices and consumer demand.

Storage facilities are often filled. Customers change their storage facilities and the destination points served by applicant have changed during the critical period. In 025, shipments to Bridgeport, Connecticut prior to May 1, 1958 were delivered to Hartford, Conn. after that date; earlier traffic to Dover, Delaware was switched to Houston, Delaware in April, 1958; and shipments to Washington, D.C. went to Landover, Maryland after March 31, 1958.

The Commission further found that Garden made no showing that it handled shipments from points in Tennessee to points in California, Kansas, Mississippi, Tennessee or West Virginia during the critical period and denied its application for operation to handle shipments from points in Tennessee to these States; that plaintiff provided service from Tennessee origins to points in Arkansas only [fol. 732] before the critical date and to points in South Carolina only after that date, and denied the application for operation from origin to the destination States; and that destinations in Connecticut, Indiana, Louisiana, Minnesota, Rhode Island and Maryland, except with respect to Landover, Maryland, were served from certain Tennessee origins in 1956 and again after the critical date and concluded the operations failed to meet the statutory standards and denied the application, except with respect to Landover. The Commission further held that the operation during the critical period from Knoxville to numerous points in Michigan, North Carolina and Ohio demonstrated a pattern of substantial and continuous operation in Michigan, North Carolina and Ohio and granted statewide authority in those States. The Commission further held:

"... In addition, considerable point-to-point authority from Knoxville and to a lesser extent from Chattanooga to specific points in the considered destination States appear warranted and will be granted. However, unlike shipments to Ohio points, for example, a breakdown of these shipments, as reflected in the appendixes, reveal that applicant provided service only to widely scattered points in these States, and we conclude that such showing does not establish the necessary consistency and continuity of operation from and to representative points in each State claimed as would warrant a grant of other than point-to-point authority. Applicant's willingness and desire to provide service from points throughout the considered area is not controlling in the absence of actual consistent and reasonably frequent movements. All things considered, we believe the grant of authority hereinafter described in our findings accurately reflects the scope of applicant's past bona fide operations from Tennessee origins.

"Those operations from origins other than in Tennessee clearly have been limited in scope and irregularly and infrequently performed, and as such do not entitle applicant to the benefits of the 'grandfather' clause. Therefore, to this extent the application will be denied."

With respect to destination points allowed, the evidence supports the report of the Commission and the Court is of the opinion that the Commission followed the proper standards and made adequate findings in reaching its conclusions as to those points. But other points were excluded by the Commission because of its rejection of evidence of 1956 shipments.

Plaintiffs submitted proof of operation during 1956, 1957, 1958 and 1959 to show the points served and changes in nature of traffic. The Commission limited the evidence to [fol. 733] shipments hauled in 1957, 1958 and 1959:

"We have not listed in the appendixes any shipments handled in 1956, because such shipments are too remote with respect to the statutory date to have probative

value in this proceeding. See Refrigerated Dispatch Common Carrier Application, 83 M.C.C. 411." (Commission's Report, Footnote 6, p. 351.)

The changing and unpredictable nature of the traffic which were characteristics of this industry made consideration of the 1956 shipments crucial. The record reveals that the bulk of the traffic in frozen vegetables, berries and fruits moves after May 1 of each year, mainly during the summer and early fall. The elimination of 1956 shipments restricted plaintiffs to proof of only one principal movement prior to May 1, 1958. The Commission required proof of operations between the same points at least once before and once after May 1, 1958 and by not considering the 1956 shipments, plaintiffs were denied their statutory right to prove that the origin and destination points in their bona fide operations change from year to year; that these changes occur frequently and that such changes are attributable to the special characteristics of the traffic.

The Commission, in ruling out consideration of the 1956 shipments, deprived plaintiff in 025 of the right to continue to serve 34 points[4] throughout the scope of their operation. Eleven of these points were served in 1956 and again in the summer of 1959. In all instances, operations were continued to other nearby points in the same States. Albany, Troy, Binghampton, White Plains, Newburgh, Rochester and New York City were served in 1956, but in 1957 and 1958, prior to May 1, plaintiff was requested to serve only the facilities at Rochester and New York City. Subsequent to May 1, 1958, shipments were again delivered to Rochester, New

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[4] Montgomery, Ala.
Little Rock, Ark.
Bridgeport, Conn.
Tampa, Fla.
Indianapolis, Ind.
Lafayette, Ind.
Shreveport, La.
Baltimore, Md.
Worcester, Mass.
Quincy, Mass.
Dorchester, Mass.
Springfield, Mass.
Boston, Mass.
Fairmont, Minn.
Hopkins, Minn.
Minneapolis, Minn.
Kansas City, Mo.
Asbury Park, N.J.
Newark, N.J.
Clifton, N.J.
Camden, N.J.
Albany, N.Y.
Troy, New York
Binghampton, N.Y.
White Plains, N.Y.
Newburgh, N.Y.
Farrell, Pa.
Erie, Pa.
Pittsburgh, Pa.
Providence, R.I.
Lubbock, Texas
Norfolk, Va.
Madison, Wisc.
Bristol, Va.

York City and Albany, and in addition there to Syracuse, Buffalo, Barker and Brockport. The Examiner recom- [fol. 734] mended a grant of authority to New York State, but by the elimination by the Commission of the 1956 shipments from the evidence, plaintiff's operations appeared to be severely restricted when actually they were not and the Commission granted authority only to Rochester and points in the New York, N.Y. Commercial Zone.

We think the characteristics of the service and the pattern of operation in New York State by applicant before and after May 1, 1958 were such as to show that plaintiff held itself out to serve the entire State of New York and that the Examiner was right in granting statewide authority in New York and that the Commission was wrong; that the Commission abused its discretion in the light of the characteristics of the service in ruling out the 1956 evidence and thereby deprived the plaintiffs of a statutory right to continue to serve the 34 points listed in Footnote 4.

Plaintiff in 025 held itself out to transport frozen fruits, berries and vegetables at any point in Tennessee for delivery to any points in the States located in the Eastern part of the United States lying east of the Rockies from Minnesota to Texas. Plaintiff actually hauled all three commodities in mixed truck loads consisting mostly of vegetables, a smaller amount of berries and only a few shipments of fruit.

As previously indicated, the application was amended at the hearing by restricting the commodities to frozen berries and vegetables, but certain of the authority granted was limited to frozen berries.

It is our opinion that frozen fruits, frozen berries and vegetables possess the necessary similarities in transportation and marketing characteristics and are sufficiently related to justify the conclusion that they are "a whole class or classes of property" within the meaning of the Supreme Court's ruling in the case of *U.S.* v. *Carolina Freight Carriers Corp.*, 315 U.S. 475.

> ". . . The Commission may not atomize his prior service, product by product, so as to restrict the scope of his operations, where there is substantial evidence in addition to his holding-out that he was in 'bona fide

operation' as a 'common carrier' of a large group of commodities or of a whole class or classes of property. There might be substantial evidence of such an undertaking though the evidence as to any one article was [fol. 735] not substantial. The broad sweep of his prior service may indeed have made the carriage of any one commodity irregular and infrequent. Yet, viewed as a whole rather than as a group of separate and unrelated items, his prior activities may satisfy the test of 'bona fide operation' as a 'common carrier' within the scope of his holding out." *U.S.* v. *Carolina Freight Carriers Corp.*, supra, pp. 483, 484.

These foods were processed in the same plants, required the same transport facilities and were delivered to warehouses having freezer facilities. Insofar as the parties held themselves out to carry these items, they should be treated as belonging to the same class. The fact that Garden withdrew its application as to frozen fruits does not invalidate the tests to be applied. As the Supreme Court implied in the *Carolina Carriers* case at page 484:

". . . The questions are whether his service within the territory in question was sufficiently regular, and whether his coverage of commodities was sufficiently representative, to support a finding that he was in 'bona fide operation' as a 'common carrier' of the group of commodities, or of the class or classes of property, during the periods in question."

• • • • •

". . . But we conclude that there is no statutory warrant for applying to irregular route carriers a different or stricter test as to commodities which may be carried than is applied to regular route carriers. The difference between those types of carriers may well justify a sharp delimitation of the far flung territory which an irregular route carrier may profess to serve. But, once the territory has been defined, the statutory test of whether an applicant was a 'common carrier' by motor vehicle in 'bona fide operation' during the critical periods is the same for the irregular and the regular route carrier . . . "

We think that Garden should be permitted to haul frozen berries and/or vegetables to any point within the scope of its operations.

> ". . . Once the Common carrier status of appellee had been established as respects those commodities, shipments to any parts of the authorized territory, or to any of the authorized points therein, should have been permitted, in absence of evidence that the appellee as respects carriage between specified points had restricted its undertaking to particular commodities . . ." *U.S.* v. *Carolina Freight Carriers Corp.*, supra, 487.

With respect to the return territory granted to applicants by the Commission, we are of the opinion that it is [fol. 736] supported by substantial evidence, except as indicated hereafter as to Freezer. In reaching this conclusion, we recognize that plaintiffs' source of traffic for the return operations is necessarily irregular and infrequent.

What we have said as to Garden with respect to the inclusion of shipments made in 1956 and to the treatment of frozen fruits, berries and vegetables applies equally to Freezer.

No. MC-118244

The rejection of the evidence of 1956 operations in MC-118244 deprived plaintiff of continuing to serve St. Paul, Minneapolis and Fairmont, Minnesota. St. Paul and Minneapolis were served three times in 1956 and St. Paul again on July 26, 1958. Only Hopkins was served in 1957 and subsequent to May 1, 1958 and only Hopkins was allowed as a destination point. St. Paul and Fairmont as well as Hopkins were served continuously after that date. There was no abandonment of operations as to these cities and the service to them was dictated by the irregular demands of the traffic rather than the intent of the plaintiff to limit service in the area.

We do not think the characteristics of the service and the pattern of operation in Minnesota are sufficient to justify statewide authority to that state. However, as we have indicated in 025, we believe the characteristics of the traffic

entitle Freezer to serve St. Paul and Fairmont in Minnesota in 244.

We think the characteristics of the business properly applied dictate the granting of authority to operate from all points in Texas to all points in Tennessee.

Private and For-Hire Operations

The Commission's Order required the separation of plaintiffs private and for-hire operations. This limitation upon their operations was imposed upon the traffic of both Garden and Freezer.

During the oral argument, the attorneys stated that there was no court decision on the question. The Commission, in [fol. 737] imposing the restriction, said:

> "Initially to be disposed of in No. 118244 is Gordon's assertion that the affinity between applicant's private and for-hire operations creates undesirable possibilities of unfair competitive practices and that this application should be denied in its entirety as being contrary to the principles of the national transportation policy. We cannot agree that applicant's dual position as a private and for-hire motor carrier necessitates a denial of its 'grandfather' application herein. The evil feared in situations where a carier operates as a private as well as a for-hire carrier is that the carrier, by virtue of its private operations, has a guaranteed volume of traffic without expenses of solicitation and the like, and that, accordingly, it will be in a position to offer service at rates less than competing carriers. However, there is nothing in this record to suggest that applicant has engaged in, or intends to engage in unfair or discriminatory trade practices; and, furthermore, we have ample power to deal with instances of discrimination should they arise. Following our past practice in similar situations, we shall, however, in both proceedings impose certain conditions on the authority granted applicants requiring the segregation of their for-hire and private carriage operations. In this connection, applicant in the title proceeding argues that we are without the power to impose any such limitations

> on authority granted pursuant to a 'grandfather' application. We cannot agree. There is nothing in the Transportation Act of 1958, which relieves motor carriers which have been granted authority thereunder from conforming to our rules and regulations adopted in accordance with the precepts of the national transportation policy, and we conclude that imposition of the aforementioned restrictions is necessary to enable us to properly regulate the motor carrier industry."

Plaintiffs contend that in so holding, the Commission deprived them of statutory rights contained in the "grandfather" clause in that their operations were carried on prior to May 1, 1958 and after May 1, 1958, without these restrictions, and that is they are deprived of carrying on private and for-hire haulage in the same loads, they will not continue with the same rights they possessed prior to the passage of the 1958 Transportation Act. In construing the "grandfather" clause in the "Motor Carrier Act of 1935", the Supreme Court said, this Act contemplated substantial parity between future operations and prior operations. *Alton R.R. Co.* v. *U.S.*, 315 U.S. 15. This parity would be lost if plaintiffs are required to separate their private and for-hire operations.

Mr. Harris, Chairman of the House Committee on Interstate and Foreign Commerce, said in connection with a pro- [fol. 738] posal to liberalize the Act with respect to frozen fruits, berries and vegetables:

> "... The bill provides for 'grandfather' rights so (sic) those common or contract carriers by motor vehicle which are now engaged in the transportation of these commodities. They will be permitted to continue the service they are now performing. Therefore, this industry would not be hindered or hampered in any way."

Section 7(c) of the Act spells out the standards to be applied by the Commission in disposing of "grandfather" applications, but there is nothing in this section that authorizes the restrictions imposed by the Commission in the present case. The requirements that applicant prove bona fide operations on and after May 1, 1958, sub-section (c),

subjects applicants only to Section 210 of the Interstate Commerce Act which prohibits the dual control of a common and contract carrier unless the Commission finds that such control is consistent with the public interest.

This Section does not prohibit the control of a common or contract carrier by a shipper conducting private carrier operations. The Commission has viewed a shipper's control of or interest in a motor carrier applicant as bearing on the applicant's fitness to conduct the proposed operation and both common and contract carrier applicants must prove that they are fit, willing and able to conduct the operations.

The Commission has recognized that an applicant's "fitness" is not an issue in "grandfather" proceedings. The Commission, in imposing the restriction, apparently attempted to apply powers and standards which it may apply in application proceedings for new authority under Sec. 207 and 209 of the Interstate Commerce Act, but not in "grandfather" proceedings.

Plaintiffs assert that if they should be required to segregate their private and for-hire operations that this would destroy their ability to continue to perform their bona fide operations that were conducted on the statutory date. The operations were primarily in less than truckload quantities consisting of a mixture of their own frozen foods and of frozen foods owned by, and carried for, others. Plaintiffs assert that the continuation of the practice of consolidating these small shipments into pooled truckload lots is essen-[fol. 739] tial to the continuation of the business, for without the combined volume of private and for-hire traffic, neither type of shipment can be moved economically. Segregation of these operations will drastically change their basic characteristics and thus not assure to plaintiffs the "substantial parity between future operations and prior bona fide operations" as required by the "grandfather" clause. We are of the opinion that plaintiffs have the right to continue to mingle their private and for-hire operations without restriction.

The findings and conclusions of the Commission in the respects heretofore indicated must be set aside and remanded to the Commission for further consideration in accordance with the views herein expressed. In all other

respects, the findings and conclusions of the Commission are affirmed.

The parties will prepare an order in conformity with the opinion of the Court in this memorandum.

[fol. 740] [File endorsement omitted]

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF ARKANSAS
Civil Action No. 1655

WILLIS SHAW FROZEN EXPRESS, INC., Plaintiff,

v.

UNITED STATES OF AMERICA and
INTERSTATE COMMERCE COMMISSION, Defendants.

REPLY TO MOTION FOR REHEARING—
Filed February 21, 1963

Defendants, the United States of America and the Interstate Commerce Commission, in reply to the plaintiff's motion for rehearing, state:

1. The issues in this case were thoroughly briefed and argued by counsel for the parties, and it is difficult to conceive of what might be said at a further hearing that has not been said before.

2. The determination of the defendant, Interstate Commerce Commission, not to appeal from the decision in *Winter Garden Co.* v. *United States*, 211 F. Supp. 280 (E. D. Tenn. 1962), affords no occasion for a further hearing. That decision was announced some time before the instant case was submitted, and, contrary to the plaintiff's representation, counsel for the defendants argued that the *Winter Garden* case was erroneous as a matter of law and distinguishable as a matter of fact.

An administrative agency, consistently sustained in its handling of a line of cases, is under no obligation to appeal from a single adverse decision by a district court. It quite properly may respect the remand and yet urge, in the context of another case, that it does not agree that the court [fol. 741] properly construed the law or reviewed the facts. The determination not to appeal cannot be taken as an acquiescence generally in the position of the court and may mean no more than that the agency has other, more important cases in which it would have the Supreme Court note probable jurisdiction.

3. The judgment of this Court was correct and conforms to the weight of judicial authority.

Wherefore the defendants pray that the plaintiff's motion for rehearing be denied.

Lee Loevinger, Assistant Attorney General.

John H. D. Wigger, Attorney, Department of Justice, Washington 25, D. C.

Charles M. Conway, United States Attorney, Fort Smith, Arkansas, Attorneys for the United States of America.

Robert W. Ginnane, General Counsel.

Fritz R. Kahn, Assistant General Counsel, Interstate Commerce Commission, Washington 25, D. C., Attorneys for the Interstate Commerce Commission.

Certificate of Service (omitted in printing).

[fol. 742]

IN THE UNITED STATES DISTRICT COURT

FOR THE WESTERN DISTRICT OF ARKANSAS

[Title omitted]

ORDER DENYING MOTION FOR REHEARING—March 8, 1963

Upon consideration of the plaintiff's motion for rehearing or reargument, and the defendants' reply thereto, and the

court being well and sufficiently advised in the premises is of the opinion that the said motion should be denied.

It Is, Therefore, Ordered and Adjudged that the plaintiff's motion for rehearing or reargument be, and is, denied.

This 8 day of March, 1963.

M. C. Matthes, United States Circuit Judge, Jno. E. Miller, United States District Judge, J. Smith Henley, United States District Judge.

[fol. 743]

IN THE UNITED STATES DISTRICT COURT

FOR THE WESTERN DISTRICT OF ARKANSAS

Civil Action No. 1655

WILLIS SHAW FROZEN EXPRESS, INC., Plaintiff,

v.

UNITED STATES OF AMERICA and INTERSTATE COMMERCE COMMISSION, Defendants.

NOTICE OF APPEAL TO THE SUPREME COURT OF THE UNITED STATES—Filed April 11, 1963

I. Notice is hereby given that Willis Shaw Frozen Express, Inc., the Plaintiff above named, appeals to the Supreme Court of the United States from the judgment dismissing the complaint, entered February 11, 1963, and from the final order denying Plaintiff's motion for rehearing or reargument, entered March 8, 1963.

This appeal is taken pursuant to 28 U. S. C. §§1253 and 2101(b).

II. The Clerk will please prepare a transcript of the record in this cause for transmission to the Clerk of the Supreme Court of the United States, and include in said transcript the following:

From the Record Made Before the Interstate Commerce Commission:

1. Form BOR-1 application, with all amendments, dated December 5, 1958.
2. Transcript of hearing, October 24, 1960.
3. Exhibits 1 through 22.
4. Report and Order Recommended by William J. Cave, Hearing Examiner, served May 4, 1961.
5. Exceptions of Applicant to Report and Order Recommended by Examiner William J. Cave, filed June 26, 1961.
6. Exceptions of Protestant (Pacific Intermountain Express) to the Recommended Report and Order of the Examiner, dated June 26, 1961.
7. Applicant's Reply to Exceptions Filed by "P.I.E.," filed July 17, 1961.
8. Protestant's Reply to Exceptions of Applicant, dated July 20, 1961.
9. Report of the Commission, Division 1, served October 5, 1961.

[fol. 744] 10. Order served November 15, 1961.

11. Petition for Reconsideration, filed December 1, 1961.
12. Reply to Petition for Reconsideration, dated December 26, 1961.
13. Notice to the Parties, served December 26, 1961.
14. Order served February 20, 1962.
15. Order served April 20, 1962.
16. Order served May 25, 1962.

From the Record Made in this Court:

17. Complaint, filed March 29, 1962.
18. Joint Answer of the Defendants, filed June 18, 1962.

19. Plaintiff's Post-Argument Memorandum, served January 3, 1963, with attachments.

20. Judgment entered February 11, 1963.

21. Plaintiff's Motion for Rehearing, filed February 15, 1963.

22. Reply to Motion for Rehearing, served February 19, 1963.

23. Order entered March 8, 1963.

24. Notice of Appeal and Designation.

III. The following questions are presented by this appeal:

1. Whether Section 7(c) of the Transportation Act of 1958 permits the Interstate Commerce Commission to destroy significant portions of a motor carrier's previously unregulated business by severely limiting the scope of "grandfather" authority granted the motor carrier applicant.

2. Whether the Interstate Commerce Commission may validly effect amendments in the statute making prior unregulated transportation of a specified class of property subject to "grandfather" rights, by administrative removal of specific types of commodities from the scope of the class described by the statute.

3. Whether the Interstate Commerce Commission, in considering the scope of "grandfather" authority to be granted a motor carrier applicant, may validly exclude evidence that the carrier had held itself out to transport a class of commodities previously exempt from regulation and had in good faith transported a type of commodity later held to be excluded from that class.

[fol. 745] 4. Where the controlling statute directs the Interstate Commerce Commission to grant "grandfather" authority commensurate with an applicant's prior unregulated business, and where the applicant has held itself out to transport an entire class of commodities in broad origin and destination territory, may the Commission validly:

(a) atomize that pre-existing business by granting commodity and geographic authority limited only to specific commodity sub-classes between specific points or sub-areas?

(b) refuse to consider sporadic movements of commodities between given pairs of points or areas, where the sporadic nature of the transportation resulted from the seasonal nature of shipments, and the business characteristics of shippers and receivers?

5. Where the scope of an applicant's prior unregulated business is a material issue at hearing, may the Commission validly refuse to consider competent evidence of the scope of applicant's prior business?

6. Where the Commission finds that the evidence supports a grant of "grandfather" authority of a given commodity, may it then validly issue authority excluding a substantial part of the operation deemed warranted by its own findings?

John H. Joyce, 26 North College, Fayetteville, Arkansas.

A. Alvis Layne, Lester M. Bridgeman, Nancy Pyeatt, Pennsylvania Building, Washington 4, D. C., Attorneys for Willis Shaw Frozen Express, Inc.

[fol. 746] Certificate of Service (omitted in printing).

[fol. 747] Clerk's Certificate to foregoing transcript (omitted in printing).

[fol. 748]

SUPREME COURT OF THE UNITED STATES

No. 201—October Term, 1963

WILLIS SHAW FROZEN EXPRESS, INC., Appellant,

vs.

UNITED STATES, et al.

ORDER NOTING PROBABLE JURISDICTION—October 21, 1963

Appeal from the United States District Court for the Western District of Arkansas.

The statement of jurisdiction in this case having been submitted and considered by the Court, probable jurisdiction is noted and the case is placed on the summary calendar.

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IN THE

SUPREME COURT OF THE UNITED STATES.

OCTOBER TERM, 1962.

WILLIS SHAW FROZEN EXPRESS, INC.,
Appellant,

v.

UNITED STATES OF AMERICA and the
INTERSTATE COMMERCE COMMISSION,
Appellees.

On Appeal from the United States District Court for the Western District of Arkansas.

JURISDICTIONAL STATEMENT.

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Miscellaneous Authorities Cited.

Administrative Ruling No. 107, Bureau of Motor Carriers, Interstate Commerce Commission, 49 C. F. R. 210, 25 6

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No. .....

IN THE

SUPREME COURT OF THE UNITED STATES.

OCTOBER TERM, 1962.

WILLIS SHAW FROZEN EXPRESS, INC.,
Appellant,

v.

UNITED STATES OF AMERICA and the
INTERSTATE COMMERCE COMMISSION,
Appellees.

On Appeal from the United States District Court for the Western District of Arkansas.

JURISDICTIONAL STATEMENT.

Appellant appeals from the judgment of the United States District Court for the Western District of Arkansas, entered February 11, 1963, dismissing a Complaint

seeking to set aside orders of the Interstate Commerce Commission. Appellant submits this statement to show that the Supreme Court of the United States has jurisdiction of the appeal and that a substantial question is presented.

OPINIONS BELOW.

The District Court for the Western District of Arkansas filed no opinion in rendering judgment below. The judgment of the District Court dismissing the Complaint, and its order denying Appellant's motion for rehearing or reargument, are not reported. They are presented in Appendix A, hereto, *infra*, p. 25. The opinion of the Interstate Commerce Commission, reported at 89 M. C. C. 377, and its unreported order denying reconsideration, are printed in Appendix B hereto, *infra*, p. 28. That opinion modified an Examiner's Recommended Report and Order, not reported, which is printed in Appendix C, hereto, *infra*, p. 44.

JURISDICTION.

This suit was brought in the District Court under 28 U. S. C., §§ 1336, and 2321-2325, to set aside orders of the Interstate Commerce Commission. The judgment of the District Court dismissing the complaint was entered on February 11, 1963. The Order of the District Court denying rehearing or reargument was entered March 8, 1963, and notice of appeal was filed in that Court on April 11, 1963. The jurisdiction of the Supreme Court to review the judgment below by direct appeal rests upon 28 U. S. C., §§ 1253 and 2101 (b). The following decisions sustain the jurisdiction of the Supreme Court to review the judgment on direct appeal in this case: **United States et al. v. Carolina Freight Carriers Corporation**, 315 U. S. 475; **Howard**

Hall Company, Inc., v. United States et al., 315 U. S. 495; and **Barrett Line, Inc., v. United States et al.**, 326 U. S. 179.

QUESTIONS PRESENTED.

1. Does the "grandfather" clause of Section 7 (c) of the Transportation Act of 1958 require the Interstate Commerce Commission to grant to affected carriers the right to conduct future regulated motor carrier operations on a substantial parity with the scope of prior unregulated operations?

2. If so, may the Commission validly atomize a "grandfather" applicant's business in the transportation of the entire class of previously unregulated frozen foods, throughout broad origin and destination territories

a) by fragmentation of the commodity authority granted through restricting future operations to transportation of frozen fruits only, between specified points or areas, of frozen vegetables only, between other specified points and areas, and of frozen berries only, between yet other such points and areas;

b) by reducing the scope of prior operations in the transportation of other frozen foods expressly characterized by the statute as exempt from future regulation;

c) by refusing to consider the full scope and effect of seasonal and other variations in the applicant's prior business?

STATUTES INVOLVED.

Section 203 (b) (6) of the Interstate Commerce Act, 49 U. S. C., § 303 (b) (6), and Sections 7 (a) and (c) of the Transportation Act of 1958, PL 85-625, 85th Cong., 2nd Sess., are set forth in Appendix E hereto.

STATEMENT.

Appellant, plaintiff below, is a common carrier of freight by motor vehicle operating in interstate commerce. This action was brought in the Court below to suspend, set aside and permanently enjoin orders of the Interstate Commerce Commission (hereinafter "ICC" or "Commission"), dated September 27, 1961, and February 7, 1962, in so far as those orders deny motor carrier operating authority sought by Appellant under Section 7 (c) of the Transportation Act of 1958, 72 Stat. 574.

(1) Statutory Background.

Section 7 of the Transportation Act of 1958 sharply reduced the scope of the partial exemption from Commission economic regulation granted to motor carrier transportation of certain agricultural commodities by Section 203 (b) (6) of the Interstate Commerce Act, 49 U. S. C., § 303 (b) (6). The 1958 Act simultaneously directed the Commission to issue "grandfather" authority, commensurate with the scope of prior unregulated operations, to carriers that had previously transported, as exempt, the classes of commodities thereafter made subject to regulation.

Prior to its amendment by Section 7 (a) of the 1958 Act, Section 203 (b) (6) of the Interstate Commerce Act had

exempted from economic regulation by the Commission any motor vehicle carrying "ordinary livestock, fish (including shell fish), or agricultural . . . commodities (not including manufactured products thereof)," if such vehicle did not also carry any other property at the same time, **Interstate Commerce Commission v. Dunn**, 166 F. 2d 116 (5th Cir., 1948). The precise scope of this exemption, particularly of the parenthetical "manufactured products" clause of the agricultural exemption, had been the subject of repeated litigation before the Commission and in the Courts. Over a period of years prior to 1958, the views of the I. C. C. and the Courts had sharply diverged in interpreting the term "manufactured products"; particularly as it related to frozen agricultural products. The Commission took the restrictive view of the exemption that any processing, such as freezing, was "manufacture". This Court, on the other hand, evolved the position that processing was not "manufacture" so long as the particular product in issue retained a "continuing substantial identity" with the unprocessed agricultural product. Pursuant to that test, the Courts by 1957 had held, overruling the Commission's view, that such commodities as frozen eviscerated chickens, frozen fish, frozen fruits and vegetables and frozen cream were exempt.[1]

Continuing doubt on the part of shippers and carriers as to the exemption status of a variety of frozen agricultural commodities, and the declared desire of the Com-

---

[1] Compare *Lester C. Newton—Extension*, 43 M. C. C. 787 (1944); *Monark Egg Corporation—Application*, 44 M. C. C. 15 (1944); *Determination of Exempted Agricultural Commodities*, 52 M. C. C. 511 (1951); *W. W. Hughes—Extension—Frozen Foods*, 71 M. C. C. 457 (1957); with *East Texas Motor Freight Lines v. Frozen Food Express et al.*, 351 U. S. 49 (1956); *Home Transfer & Storage Co. v. United States et al.*, 141 F. Supp. 599 (W. D. Wash., 1956), aff'd 352 U. S. 884; *Frozen Food Express v. United States et al.*, 148 F. Supp. 399 (S. D. Tex., 1956), aff'd 355 U. S. 6 (1957).

mission, and of motor carriers then subject to economic regulation, to bar expansion of, and if possible, to contract, the scope of the exemption, created increasing demands, in 1957, for clarifying and restrictive amendment of the exemption.[2]

In March, 1958, while Congressional committee consideration of such legislation was pending, the Commission's Bureau of Motor Carriers issued its Administrative Ruling No. 107, 49 C. F. R. 210.25. That document listed specific commodities together with a statement of their status, as exempt or non exempt, under the Bureau of Motor Carriers' interpretation of relevant Court and Commission decisions. Where, in its view, there were no such decisions extant with respect to the status of particular commodities, that Bureau gave its own "tentative and provisional" opinions. Ruling 107 indicated, *inter alia*, that frozen uncooked fish and shellfish, and frozen fresh fruits, berries, and vegetables, were exempt from regulation.

The Transportation Act of 1958 was enacted in August, 1958. Section 7 (a) of that Act, 72 Stat. 573, 574, amended the agricultural exemption provided by Section 203 (b) (6) of the Interstate Commerce Act:

> 1. By a first proviso incorporating by reference in the statute, *in toto*, the interpretations of Ruling 107's commodity list.

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[2] See, e. g., *Interstate Commerce Act—Agricultural Exemptions. Hearings Before a Subcommittee of the Committee on Interstate and Foreign Commerce*, House of Representatives, Eighty-Fifth Congress, 2nd Session, on H. R. 5823, April 23-25, 1958, U. S. G. P. O. 1958; *Transportation Act of 1958—Report of the Committee on Interstate and Foreign Commerce on S. 3778*, S. Rep. No. 1647, Eighty-Fifth Congress, 2nd Session, U. S. G. P. O., 1958, at pp. 22, 23; and *60th Annual Report of the Interstate Commerce Commission*, U. S. G. P. O. Washington 1956, p. 128; *70th Annual Report*, U. S. G. P. O., Washington, 1957, p. 162; *71st Annual Report*, U. S. G. P. O., Washington, 1957, pp. 138, 139.

2. By a second proviso providing, "notwithstanding the preceding proviso" that 11 specified commodities, including, so far as pertinent here, "frozen fruits, frozen berries, frozen vegetables" were removed from the scope of the exemption. That proviso expressly exempted "cooked (including breaded) fish or shellfish when frozen or fresh," with certain exceptions not relevant here (Appendix E, *infra*, p. 65).

Transportation of frozen fruits, berries, and vegetables by motor carrier was thereby prohibited in the future except under appropriate Commission certification, and at rates subject to Commission control. The frozen fish and seafood exemption was broadened, rather than restricted, by the amendment. Under the Commission's construction of the statute, however, transportation of still exempt commodities in the same vehicle with frozen fruits, berries and vegetables would thereafter also be prohibited without appropriate Commission authority.[3]

Section 7 (c) of the 1958 Act directed the Commission to grant "grandfather" rights to any person, or its predecessor in interest, who had been in bona fide operation on May 1, 1958, and since that time (making due allowance for seasonal, and other service interruptions beyond its control) in the transportation of "property—made subject to" regulation by Section 7 (a). Section 7 (c) provided for a grant of operating authority, commensurate geographically and otherwise with prior unregulated operations, to any such person filing application therefor within 120 days after the statute's effective date, August 12, 1958 (Appendix E, *infra*, p. 65).

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[3] See, e. g., *Blair M. Lewis, Common Carrier "Grandfather" Application*, 82 M. C. C. 755 (1960).

(2) **Proceedings on Appellant's "Grandfather" Application.**

Appellant had engaged, for a number of years prior to May 1, 1958, and continued thereafter, in the interstate motor common carriage of a variety of frozen agricultural commodities deemed exempt from Commission regulation under Section 203 (b) (6) as it stood prior to August 1958. It was among the 950 applicants[4] which timely filed "grandfather" applications pursuant to Section 7 (c). It sought operating authority, so far as pertinent here, to transport frozen fruits, frozen berries and frozen vegetables over irregular routes, from and to points in 35 states.[5] It sought to continue the full scope of its transportation of commodities remaining within the exemption by also requesting authority to transport such commodities as frozen fish and seafood, when moving in the same vehicle with the newly regulated commodities, throughout the territory covered by the application.

Hearing on the application was held before an Examiner of the Commission in October 1961. Several motor carriers, railroads, and railroad associations opposed.

The evidence was that Appellant[6] began its motor carrier business in 1938, transporting principally fresh prod-

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[4] *77th Annual Report of the Interstate Commerce Commission*, U. S. G. P. O. 1961, p. 52.

[5] Alabama, Arizona, Arkansas, California, Colorado, Delaware, Florida, Georgia, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Jersey, New Mexico, New York, Oklahoma, Oregon, Ohio, Pennsylvania, Tennessee, Texas, Utah, Virginia, Washington and Wisconsin.

[6] Appellant, Willis Shaw Frozen Express, Inc., succeeded to the interest of Willis Shaw Produce Co., a partnership, in 1958. Both companies will be referred to here, for convenience, as "Appellant."

uce and live poultry from the base of operations that it still occupies, at Elm Springs, Arkansas. It has been engaged continuously since 1948 in transportation of frozen exempt foods. Since 1954, Appellant has advertised the availability of its refrigerated vehicles, for transportation of such commodities, unlimited geographically, in trade magazines which circulated throughout the 35 states covered by the application (R. 79-84).

The frozen commodities moved by Appellant in the critical period were transported from processing plants and cold storage warehouses. Interstate shipments by a given shipper would originate, at different times, from different points within a given area. For example, a freezing plant at Searcy, Arkansas, with limited storage facilities at that point, would ship its products for storage and later shipment, to other Arkansas points, *inter alia*, such as Fayetteville, Ft. Smith, Little Rock and Van Buren. Shipments from different origin areas varied with the growing season of the areas' principal crops. Origins also varied as new processing plants were erected. The pooling of smaller shipments in a single truckload for delivery at a number of destinations, often in different states, was commonplace. The various commodities to be shipped in a given truckload were sometimes stored in warehouses at different points, in which case Appellant's vehicles would be required to pick up parts of the shipment at several points of origin, sometimes located in different states (R. 7, 98-102, 407-525).

Appellant's Exhibit 22 (R. 407-525) showed some 6,000 of the shipments of frozen fruits, vegetables and berries that it had transported in the period May 3, 1954-October 19, 1960.[7] Shipments of frozen fish were also transported,

[7] Some 2,000 other shipments were excluded by Appellant from its Exhibit 22, as repetitive of movements between the same origins and destinations included in the Exhibit (R. 148).

in the period January 11, 1956-September 24, 1960, in mixed shipments with frozen fruits, vegetables and berries (R. 104-117, 232-236).

By Report and Recommended Order served May 4, 1961, the Examiner proposed a grant of authority to transport the entire class of formerly exempt frozen agricultural commodities (frozen fruits and berries and vegetables) throughout territories severely restricted relative to the broad geographic showing of holding out and bona fide operation made by Appellant. The Examiner also recommended a severely limited grant of authority to transport frozen fish in the same vehicle with frozen fruits, vegetables and berries (Appendix C, *infra*, p. 52).

Both Appellant and protestants filed exceptions to the Examiner's recommendations. The Commission, by Report and Order on Exceptions (Appendix B, *infra*, pp. 28-43) substantially reduced the scope even of the limited authority recommended by the Examiner,[8] and denied Appellant's petition for reconsideration of that disposition. The Commission limited Appellant to authority to transport:

> (a) the entire class of frozen agricultural commodities expressly made subject to regulation by the 1958 statute (frozen fruit, frozen berries, and frozen vegetables) from points in the three West Coast states, from Lower Michigan and from Chicago, to points in seven middle western states;
>
> (b) Frozen fruit, but not vegetables or berries
>
> (1) from Omaha, Nebraska, to Modesto, California.

---

[8] A statement of the authority recommended by the Examiner, as compared with that granted by the Commission (R. 714-718), is set out in Appendix D, infra, pp. 56-63.

(2) from points in the Lower Peninsula of Michigan to St. Joseph, Mo., Oklahoma City, Okla., Omaha, Nebraska, and points in Kansas.

(c) frozen vegetables, but not fruit or berries

(1) from Omaha, Nebraska, to points in Arkansas.

(2) from Ft. Smith, Arkansas, to Detroit, Michigan, Miami and Jacksonville, Florida, and San Francisco, Calif.

(3) from points in Delaware to points in Arkansas.

(4) from points in Minnesota on and south of U. S. Highway 14 to Omaha, Nebraska, Kansas City and St. Joseph, Mo., Oklahoma City, Okla., and points in Arkansas and Kansas.

(d) frozen berries, but not fruit or vegetables, from Ft. Smith, Arkansas, to Chicago, Illinois.

It also granted authority to transport frozen fish when moving in the same vehicle and at the same time with frozen fruits, frozen vegetables, or frozen berries from specified Pacific seacoast points only, to a number of states.

In concluding that the authority to be awarded Appellant should be so limited the Commission expressly refused to consider as relevant, the evidence of service performed by Appellant prior to 1957 (Appendix B, p. 29, *infra*).

The Commission's disposition of Appellant's "grandfather" application substantially and injuriously reduced and fragmented the scope of the operations that Appellant had held itself out to perform, and had in fact performed in the relevant period of "grandfather" opera-

tions. That injurious result was brought about by three fundamental Commission errors:

1. The Commission failed and refused to treat the frozen foods made subject to regulation by Section 7 (a) of the 1958 Act as a unitary commodity class. The nature of frozen fruits, frozen berries and frozen vegetables as sub-categories of a single class of commodities having identical transportation characteristics and requirements, with respect to refrigeration and otherwise, is not subject to question. Appellant transported all of these sub-categories. The record as a whole shows that Appellant's only criterion was whether the commodities transported were among the frozen foods exempt from regulation under Section 203 (b) (6)—as it stood prior to the 1958 amendment; that any failure actually to transport frozen commodities in all three of these overlapping categories between any given pair of points was more a matter of chance than of choice[9] (R. 407, 525). Prior to enactment of the 1958 Statute, there was, in fact, no rational basis for any unregulated carrier, operating equipment designed for frozen food transportation, to differentiate for transportation purposes among frozen exempt food items on the basis of the distinctions later created by statute.

The Commission conceded, by the terms of its grant of authority, that Appellant had actually transported all three sub-categories over broad areas, pp. 10-11, *supra*. Nevertheless, it limited authority from a number of points or areas to a single sub-category of the commodity class involved; and in a number of instances, authorized trans-

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[9] The situation of frozen fish prior to regulation was no different. Although accorded different treatment by the 1958 statute, that commodity too, was indistinguishable, in terms of transportation characteristics, from any other type of frozen food exempted prior to 1958.

portation from a single origin of one such item to some destinations, and of another such sub-category to other destinations.

2. The Commission failed and refused to consider any evidence of Appellant's operations prior to January 1957. The evidence was that origins and destinations and identity of the commodities shipped between particular points varied within given areas, with considerations peculiar to the shippers' business and the seasonal nature of commodities shipped; see p. 9, *supra*. On that kind of record, the Commission's refusal to consider any evidence prior to January, 1957, less than two full growing seasons prior to the May 1, 1958, date specified in the statute, is flatly erroneous. That refusal, combined with the Commission's atomizing treatment of the commodities involved resulted in a substantial reduction in the geographic, as well as the commodity, scope of operations previously conducted by Appellant. The injurious diminution in the scope of Appellant's business resulting from the combination of those errors, is made apparent by consideration of a specific example from the record:

The Commission's grant of authority from Arkansas was limited to frozen vegetables only, from Ft. Smith, Arkansas, to Detroit, Miami, Jacksonville, and San Francisco, and frozen berries only, from the same origin point to Chicago. The restrictive and injurious impact upon Appellant's ability to conduct a viable operation even from its home territory, appears from the face of the grant. It is accentuated by the evidence supposedly considered by the Commission, as well as by the pre-1957 evidence.

Appellant has reproduced, on the facing page, the relevant data from the record showing the interstate shipments transported by it from origins in the northwest Arkansas quadrant in the period January 1, 1956-August 19, 1958. That evidence shows that, with the exception of four instances all shipments moved in the period between April 1 and late October. The May 1 grandfather date thus cut off the major part of the 1958 season for shipment of the commodities involved from Arkansas origins. The Commission's determination was made, therefore, on the basis, essentially, of a single season's operations. When the 1956 season is considered the area-wide origins (Ft. Smith, Van Buren, Fayetteville, Prairie Grove, Little Rock), the broad scope of the holding out to transport the entire class of commodities and to serve broad destination areas is apparent. Repetitive service to a number of destinations before and after the "grandfather" date (e. g., Kansas City, Kansas-Missouri, Philadelphia-Camden) was entirely ignored.

In the period shown Appellant delivered shipments from the various Arkansas origins to 25 different cities in 17 states. It moved shipments including berries to 18 points, vegetables to 22, and fruit to two. If Appellant were tendered these same shipments today, it could lawfully transport four truckloads and one partial load. The authority is so restricted, in fact, that although the Commission granted destination authority to Chicago, no one of the four post-1956 shipments transported by Appellant to that city from Fort Smith could lawfully be moved under the authority granted because each consisted wholly, or in part, of a commodity not covered by the Chicago authority.

The Commission's treatment of Arkansas origin authority is merely exemplary. See, e. g., its treatment of Lower

Shipments of Frozen Fruits, Vegetables and Berries Originated by Appellant at Northwest Arkansas Points, January 1, 1956-August 19, 1958 (From Appellant's Exhibit 12, R. 407-525).

(Bold-face entries indicate shipments that could not be handled by Appellant under authority granted by the Commission. Asterisks indicate commodity, origin or destination disqualifying Appellant from transportation of shipment under authority granted by I. C. C.)

[Record Page of Entry]	[Date]	[Freight Bill No.]	[Commodity]	[Origin]	[Destination]
421	1-18-56	1132	**Frozen Vegetables**	**Fort Smith, Arkansas**	**Kansas City, Mo.***
422	2-10-56	1203	**Frozen Vegetables**	**Fort Smith, Arkansas**	**Kansas City, Mo.***
423	3-15-56	1309	**Frozen Vegetables**	**Van Buren, Arkansas**	**New York, New York***
423	4-10-56	1384	**Frozen Vegetables**	**Fort Smith, Arkansas**	**Kansas City, Mo.***
424	5-12-56	1514	**Frozen Berries**	**Fort Smith, Arkansas**	**Minneapolis, Minn.***
424	5-14-56	1529	**Frozen Berries**	**Little Rock, Arkansas***	**Kansas City, Kansas***
424	5-15-56	1511	**Frozen Vegetables**	**Fort Smith, Arkansas**	**Kansas City, Mo.***
424	5-16-56	1541	**Frozen Berries**	**Little Rock, Arkansas***	**Elkhart, Indiana*** **Kankakee, Ill.***
425	5-20-56	1558	**Frozen Berries**	**Little Rock, Arkansas***	**St. Joseph, Mo.*** **Kansas City, Mo.*** **Pittsburg, Kansas***
425	5-23-56	1561	**Frozen Berries**	**Fort Smith, Arkansas**	**Minneapolis, Minn.***
425	6- 7-56	1620	**Frozen Berries**	**Prairie Grove, Ark.***	**Dallas, Texas***
425	6-12-56	1627	**Frozen Berries**	**Prairie Grove, Ark.***	**Des Moines, Iowa***
428	9-20-56	1977	Frozen Vegetables	Fort Smith, Arkansas	Birmingham, Ala.*
			Frozen Vegetables	**Fort Smith, Arkansas**	**Tampa, Florida***
429	10-20-56	2057	Frozen Berries	Fort Smith, Arkansas	Chicago, Illinois
433	4- 8-57	2724	**Frozen Fruit***	**Van Buren, Arkansas**	**Houston, Texas***
433	4-13-57	2735	**Frozen Vegetables**	**Fort Smith, Arkansas**	**Atlanta, Georgia***
			Frozen Vegetables	Fort Smith, Arkansas	Jacksonville, Florida
434	4-29-57	2912	**Frozen Vegetables**	**Fayetteville, Ark.***	**Camden, New Jersey***
437	7- 3-57	3165	Frozen Vegetables	Fort Smith, Arkansas	Miami, Florida
440	9- 6-57	3398	**Frozen Berries**	**Fort Smith, Arkansas**	**Buffalo* and Amsterdam,* New York**
449	3- 7-58	4031	Frozen Vegetables	Fort Smith, Arkansas	San Francisco, Calif.
452	4-26-58	4205	Frozen Vegetables	Fort Smith, Arkansas	Detroit, Michigan
			May 1, 1958		
452	5- 7-58	4244	**Frozen Vegetables**	**Fort Smith, Arkansas**	**Philadelphia, Pa.*** **Camden, New Jersey***
452	5- 7-58	4246	**Frozen Vegetables***	**Fort Smith, Arkansas**	**Chicago, Illinois**
453	5-24-58	4300	**Frozen Vegetables**	**Fort Smith, Arkansas**	**Kansas City, Kansas***
454	6- 6-58	4321	**Frozen Veg.* & Berries**	**Fort Smith, Arkansas**	**Chicago, Illinois** **St. Louis, Missouri***
454	6-13-58	4357	**Frozen Veg.* & Berries**	**Fort Smith, Arkansas**	**Chicago, Illinois**
454	6-17-58	4362	**Frozen Vegetables**	**Fort Smith, Arkansas**	**Exmore, Va.***
456	7-28-58	4519	**Frozen Fruits* & Veg.**	**Fort Smith, Arkansas**	**Detroit, Michigan**
457	8-19-58	4589	**Frozen Veg.* & Berries**	**Fort Smith, Arkansas**	**St. Louis, Mo.*** **Chicago, Illinois***

Michigan origins, Appendix D, p. 59, *infra*. Although the Commission granted authority to transport all three of the statute's sub-categories from points in the Lower Peninsula of Michigan to Kansas City, Missouri, it limited Appellant to transportation of "frozen fruit" only from the same origin area to points in Kansas, across the Missouri River from Kansas City, Missouri; to St. Joseph, Missouri, a short distance north of Kansas City; to Omaha and Oklahoma City in the adjacent (to Missouri) states of Nebraska and Oklahoma. The pre-1957 record shows that Appellant had transported other commodities from lower Michigan to each of the destination points (other than Omaha) to which Appellant is now denied authority to transport any item other than frozen fruit (R. 409, 413, 417, 424).

3. The Commission denied authority to Appellant to continue to transport frozen fish and seafood, in the same vehicle with frozen fruits, berries and vegetables, throughout the scope of the entire authority granted to transportation of frozen fruits, berries and vegetables. It thus effectively destroyed Appellant's pre-existing right to transport frozen fish and seafood in mixed shipments with the formerly exempt commodities expressly made subject to regulation.

The treatment of this aspect of Appellant's application resulted from an apparent inability on the part of the Commission to comprehend the full meaning of the statute it was directed to administer.

Prior to the 1958 Transportation Act, frozen, uncooked, fish and seafood could be transported without Commission authority, not only in unmixed loads but in the same vehicle with then-exempt frozen fruits, berries and vege-

tables. While Section 7 (a) of the 1958 Act expressly made frozen fruits, berries and vegetables subject to regulation, it actually expanded the frozen fish and seafood exemption; indicating an intent to permit at least the same degree of freedom in the opportunity to offer the unregulated transportation of frozen fish and seafood that existed prior to the enactment of Section 7. Prior to enactment of the statute carriers could offer to transport frozen fish and seafood, alone, or in mixed shipments with exempt frozen fruits, vegetables and berries whenever, and wherever they chose. That opportunity would no longer remain open to carriers if those seeking incidental "grandfather" authority to continue to offer to transport in such mixed shipments were to be limited by the same standards of proof of actual transportation required to support a grant of frozen fruits, vegetables and berries authority.

Relying upon its showing of actual past transportation of frozen fish, upon its prior broad holding out to transport exempt frozen foods generally, and the clearly implicit statutory intent to preserve, untrammelled, the opportunity to continue such a holding out within the scope of the remaining exemption, Appellant sought "grandfather" authority to transport frozen fish and seafood in the same vehicle with frozen fruits, berries and vegetables throughout the territory in which fruit, vegetables and berry authority was sought.

The Commission granted Appellant authority, as relevant here, to transport

> "frozen fish [only], when moving in the same vehicle and at the same time with frozen fruits, frozen vegetables, or frozen berries from Seattle, Wash., and Astoria, Oregon . . . and from San Francisco, Monterey,

San Jose, and Los Angeles, Calif. [to points in named mid-Western states]".

That grant of authority destroys any opportunity for Appellant to continue to offer the same broad service. Moreover, the effect of that limited grant is to give Appellant far less than substantial parity even with its prior actual carriage of frozen fish, as shown by the evidence.

The preponderance of Appellant's previous movement of frozen fruits, vegetables and berries from the West Coast states was from inland points, whereas its movements of fish were, of course, from the seaports. The Commission's grant limits Appellant to origination of mixed shipments of fish and "grandfather" commodities only at the seaport points; but grants no rights to commence mixed shipments at the inland points where the "mixing" could normally be expected to occur and where the regulated movements of fish would thus originate.

If, for example, Appellant, with a vehicle available for loading at San Francisco, were notified of a partial load of eastbound frozen fish at that point and of eastbound frozen vegetables at the inland California point of Modesto, it could handle both shipments in that vehicle only by moving its empty vehicle east to Modesto to partially load the vegetable shipment; then return west to San Francisco, mix in the fish shipment at that point and again turn eastward for movement to destination. In lieu of the flexibility of operations so vital to the efficiency of a broad-ranging motor truck operation in combining multiple pick-ups and delivery of partial truckloads at numerous points, the Commission imposed an operational straitjacket upon Appellant's operations that had never existed prior to 1958. It did so in direct contradiction to its own conclusion that a "comparatively broad grant of

[frozen fish] rights is warranted to allow continued flexibility in applicant's operations" (Appendix C, p. 53, *infra.*)

Following the Commission's denial of Appellant's petition to reconsider its decision in light, *inter alia,* of the errors outlined above, Appellant filed its Complaint in the Court below on March 29, 1962, seeking a permanent injunction against enforcement of the Commission's Orders.[10] The United States and Interstate Commerce Commission answered and, after briefing and oral argument by the parties, the statutory three-judge District Court convened to hear and decide this case entered an Order summarily affirming the Commission's action. It found that the Commission had "correctly employed the statutory standards prescribed" in the grandfather clause of Section 7 (c) of the Transportation Act of 1958, and "did not use a new or different standard in interpreting [that clause] than it did in interpreting the 'grandfather' clause of the predecessor statute, the Motor Carrier Act of 1935, 59 [sic] U. S. C., Sec. 306 (a)" (Appendix A, *infra,* p. 26).

Appellant moved for rehearing, relying upon the opinion of the statutory three-judge District Court in **The Winter Garden Company, Inc., et al. v. United States et al.**, 211 F. Supp. 280 (E. D. Tenn. 1962) (R. 721, 739). That Court held that the Commission in considering applications under the 1958 "grandfather" clause, must (1) treat frozen fruits, berries and vegetables as a single commodity class, and (2) consider operations conducted prior to 1957 in determining the scope of "grandfather" authority to be granted, where specific origin and destination points within a given area vary with seasonal fluctuations and

[10] The effective date of those Orders was postponed indefinitely by the Commission following filing of the Complaint (R. 703, 704).

changes occasioned by availability of freezer space and other controlling business conditions.

Appellant's motion was denied without opinion by Order of the Court below, entered March 8, 1963 (R. 742). Appellant's Notice of Appeal was filed in that Court on April 11, 1963 (R. 743).

THE QUESTIONS INVOLVED ARE SUBSTANTIAL.

1. This appeal raises the fundamental question whether the Interstate Commerce Commission may administratively restrict legislation plainly intended to preserve existing businesses, under regulation, on a substantial parity with their pre-regulation scope; whether that Commission may, in administration of the 1958 "grandfather" statute properly apply different and more restrictive criteria than those laid down by this Court in **United States v. Carolina Freight Carriers Corp.**, 315 U. S. 475. That decision had affirmed a District Court reversal of an overly restrictive Commission grant of motor carrier operating authority under the original "grandfather" provision of the Motor Carrier Act, 49 U. S. C., § 206 (a). The Court there reiterated its holding in **Alton Railroad Company et al. v. United States et al.**, 315 U. S. 15, that the purpose of that "grandfather" clause was to assure affected carriers "a substantial parity between future operations and prior bona fide operations," 315 U. S. 479, 481. The original "grandfather" clause, 49 U. S. C., § 306 (a), like that in the 1958 Act, required a showing that applicant or its predecessor was "in bona fide operation" on the critical date, and Section 203 (a) (14) of the Motor Carrier Act, then defined "common carrier by motor vehicle," as it does today, as one who "undertakes to transport . . . property, or any class or classes of property, for the general public." This Court held there that

"The Commission may not atomize [the applicant's] prior service, product by product, so as to restrict the scope of his operations, where there is substantial evidence in addition to his holding out that he was in 'bona fide operation' as a 'common carrier' of . . . a whole class or classes of property. There might be substantial evidence of such an undertaking though the evidence as to any one article was not substantial. The broad sweep of his prior service may indeed have made the carriage of any one commodity irregular and infrequent. Yet viewed as a whole rather than as a group of separate and unrelated items, his prior activities may satisfy the test of 'bona fide operation' as a 'common carrier' within the scope of his holding out. The fact that some of the articles may have been carried before but not after June 1, 1935, may of course indicate an abandonment of the prior undertaking . . . But it does not necessarily mean that they should be stricken from the certificate, since the natural and normal course of his business may reveal a continuous undertaking to transport any or all commodities embraced within the group or the class . . . The questions are whether his service within the territory in question was sufficiently regular and whether his coverage of commodities was sufficiently representative to support a finding that he was in 'bona fide operation' as a 'common carrier' . . . of the class or classes of property during the periods in question.

". . . if the applicant had established that it was a 'common carrier' for a group of commodities or for an entire class or classes of property and was in 'bona fide operation' during the critical periods in a specified territory, restrictions on commodities which could be moved in any one direction or between designated points would not be justified. The fact that a particular commodity had never been transported be-

> tween certain points in that territory would not mean that authority to haul it between them should be withheld. Likewise, if the applicant could establish that it was a 'common carrier' only of a limited number of commodities, there would normally be no statutory sanction for limiting the carriage of particular commodities, in that group to specified points in the authorized area. Presumptively one who had established his status of 'common carrier' would be entitled to carry all of the commodities embraced in his undertaking to all points to which any shipment of articles were authorized . . .," 315 U. S. 479, 483-486.

The decisions of the Commission, and of the Court below, in this proceeding are in palpable violation of the quoted principles enunciated in **Carolina Freight Carriers.**

2. The decision of the Court below in this proceeding, moreover, is in direct conflict with the opinion of the three-judge District Court in **Winter Garden**, *supra*, p. 19. Although unlike the **Winter Garden** decision the ruling of the Court below was unaccompanied by an opinion, that decision, and the opinion of the Commission which it sustains, are public information to affected carriers and shippers, and other interested persons, including the lower Federal Courts that may be called upon for future rulings in "grandfather" cases. This court has, to date, been presented with no opportunity to consider the issue of the propriety of the Commission's economically injurious atomization of commodity classes and geographic scope of operations, in administering the transition of almost 1,000 business units from free to regulated competition.[11] The

[11] Although the Commission and the United States argued to the Court below in this case that the decision in Winter Garden adverse to them "was erroneous as a matter of law" (R. 740), they made no effort to obtain review of that "erroneous" decision by this Court.

conflict between **Winter Garden** and **Carolina Freight Carriers**, on the one hand, and on the other, the disposition below and other summary decisions of three-judge Courts in accord with it, will remain a source of continuing confusion and uncertainty in administration of the 1958 "grandfather" statute absent a definitive disposition by this Court.

Respectfully submitted,

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APPENDIX A.

In the United States District Court,
Western District of Arkansas,
Fort Smith Division.

Willis Shaw Frozen Express, Inc., a Corporation, Elm Springs, Arkansas,

Plaintiff,

v. Civil Action No. 1655.

United States of America and Interstate Commerce Commission,

Defendants.

Before: M. C. Matthes, Circuit Judge,
John E. Miller and
J. Smith Henley, District Judges.

Judgment.

The court having fully reviewed and considered the whole record, the brief of plaintiff submitted on July 17, 1962, in support of its complaint, the brief of defendants submitted on September 4, 1962, in opposition to the complaint, the arguments and contentions of the parties contained in the briefs and the oral argument of counsel, the pertinent authorities, together with a comparative statement of the operating authority to which the examiner found the plaintiff entitled under Sec. 7 (c) of the Transportation Act of 1958 with that granted by the Commission, Division 1, in the report and order dated September 27, 1962, and contrary to the contentions of plaintiff, the court finds:

1. That the findings and conclusions of the Commission are not arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with the law;

2. That the Commission observed the procedure required by law;

3. That the findings of fact of the Commission, as set forth in its report and order dated September 27, 1961, and served October 5, 1961, are supported by substantial evidence;

4. That the Commission, in applying the provisions of Sec. 7 (c) of the Transportation Act of 1958 (72 Stat. 573, following 49 U. S. C., Sec. 303), commonly referred to as the "grandfather" clause, correctly employed the statutory standards prescribed by Congress in said Act, and that said Commission did not use a new or different standard in interpreting the clause than it did in interpreting the "grandfather" clause of the predecessor statute, the Motor Carrier Act of 1935, 59 U. S. C., Sec. 306 (a).

It Is, Therefore, Ordered and Adjudged that the complaint of plaintiff be, and is, dismissed.

This 11 day of February, 1963.

(S) M. C. Matthes,
United States Circuit Judge,
(S) Jno. E. Miller,
United States District Judge,
(S) J. Smith Henley,
United States District Judge.

In the United States District Court,
Western District of Arkansas,
Fort Smith Division.

Willis Shaw Frozen Express, Inc.,

Plaintiff,

v. Civil Action No. 1655.

United States of America and Interstate Commerce Commission,

Defendants.

Order.

Upon consideration of the Plaintiff's motion for rehearing or reargument, and the defendant's reply thereto, and the court being well and sufficiently advised in the premises is of the opinion that the said motion should be denied.

It Is, Therefore, Ordered and Adjudged that the plaintiff's motion for rehearing or reargument be, and is, denied.

This 8 day of March, 1963.

/s/ M. C. Matthes,
United States Circuit Judge,
/s/ Jno. E. Miller,
United States District Judge,
/s/ J. Smith Henley,
United States District Judge.

APPENDIX B.

This report will not be printed in full in the permanent series of Motor Carrier Reports of the Commission.

Date of Service Oct. 5, 1961.

Interstate Commerce Commission.

No. MC-117119 (Sub-No. 2).

Willis Shaw Frozen Express, Inc., Common Carrier "Grandfather" Application.

Decided September 27, 1961.

Applicant found entitled to continue operations as a common carrier by motor vehicle, over irregular routes, of specified commodities from and to described points in 14 States, by reason of having been engaged in such operations on and continuously since May 1, 1958. Issuance of a certificate approved upon compliance by applicant with certain conditions, and application in all other respects denied.

A. Alvis Layne, Jr., and John H. Joyce for applicant.

Charles L. Ford, Jr., Earl J. Brooks, and Hugh T. Matthews for protestants.

Report of the Commission.

Division 1, Commissioners Walrath, Webb, and Tucker.

Tucker, Commissioner:

Exceptions were filed by applicant and one protestant to the order recommended by the examiner, and each replied to the exceptions of the other. Our conclusions differ somewhat from those recommended.

By application filed December 5, 1958, Willis Shaw Frozen Express, Inc., of Elm Springs, Ark., seeks a certificate under the "grandfather" proviso of Section 7 (c) of the Transportation Act of 1958, authorizing operation, in interstate or foreign commerce, as a common carrier by motor vehicle, of frozen fruits, frozen berries, frozen vegetables, frozen poultry, frozen poultry parts, frozen fish and other frozen seafood, including seafood pies, meals, and dinners, from and to points in Alabama, Arizona, Arkansas, California, Colorado, Delaware, Florida, Georgia, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Jersey, New Mexico, New York, Oklahoma, Oregon, Ohio, Pennsylvania, Tennessee, Texas, Utah, Virginia, Washington and Wisconsin, over irregular routes. The application is opposed by Class I Rail Carriers in the Western District, The Texas Railroad Association and numerous rail and motor carriers.[1]

The examiner recommended that the application be granted to the extent set forth in part A of the Appendix hereto. On exceptions applicant contends (1) that the examiner incorrectly restricted his attention to operations conducted since October 1, 1957, (2) that its Exhibit No. 21 should have been admitted into evidence, and (3) that it will be denied substantial parity with its past operations unless it is granted all the authority sought. It says that the "pro numbers" of the poultry shipments listed in Exhibit No. 21 should be matched with the pro numbers of the frozen fruit, berry, and vegetable shipments listed in Exhibit No. 22 to establish the scope of its mixed shipment operations with respect to these commodities. Pacific

[1] New York Central Railroad, Louisville & Nashville Railroad, Boston & Maine Railroad, New York, New Haven and Hartford Railroad; Chicago, Rock Isalnd & Pacific Railroad, Pacific Intermountain Express Co., Gillette Motor Transport, Inc., and Western Truck Lines, Ltd.

Intermountain Express Co., hereafter called P. I. E., argues on exceptions (1) that the authority granted should be no more than that set forth in part B of the Appendix hereto, (2) that the examiner's recommendation is based in part on shipments which were not bona fide because of an admixture of commodities the transportation of which was subject to economic regulation, and (3) that fish, poultry, and the related products included in the application were not listed in the Federal Register publication and, therefore, should not be considered. Applicant replies (1) that any defect in the published notice of the application can be corrected by republication, (2) that the status of frozen food has been so confused that applicant should not be penalized for transporting frozen french fried potatoes in mixed shipments with frozen fruit, berries, and vegetables, and (3) that exceptant eliminated many bona fide shipments listed in Exhibit No. 22 from its computation of the authority to be granted because they were wrongfully categorized as private carriage. In reply exceptant asserts that applicant failed to conduct bona fide operations to or from any points beyond those conceded in P. I. E.'s exceptions, apart from a few instances involving long and unexplained interruptions in service.

The evidence, the examiner's recommendations, the exceptions and replies thereto have been considered. We find the statement of facts in the examiner's report to be correct; and, as supplemented herein, we adopt it as our own.

1. **Preliminary Matters.**

Applicant's evidence was adduced principally in the form of four exhibits. Exhibit No. 20 shows shipments of frozen fish. Exhibit No. 21 lists shipments of iced and frozen poultry. Exhibit No. 22 records shipments of frozen

fruit, berries, and vegetables, and a late-filed exhibit contains photostats of the supporting documents for 107 shipments which applicant asserts were for-hire carriage and exceptant insists were not. The examiner refused to accept Exhibit No. 21 in evidence because it was offered for the specific purpose of showing that, at the destinations listed therein, applicant had empty vehicles available for transportation of frozen fruit, berries, vegetables, fish, and seafood products. In rejecting this exhibit, the examiner ruled that only the operations actually performed by applicant could be considered as the basis for a grant of the authority sought. Each shipment in the exhibits is identified by a pro number which corresponds to the serial number of the loading sheet on which it is listed. Every loading sheet, however, represents a round trip which usually involved an outbound movement, a backhaul, and one or more intermediate hauls; therefore, many mixed and consecutive shipments bear the same pro number. Also in some cases underlying documents for these shipments reflect that applicant was considered the broker, consignee, or consignor rather than the common carrier of the commodity. The examiner's ruling, rejecting the exhibit for the purpose it was introduced, was clearly correct. See **Long Common Carrier Application**, 81 M. C. C. 689. Applicant's suggestion that we compare the pro numbers of the approximately 6,000 shipments in Exhibit No. 22 with those of some 15,000 shipments in Exhibit No. 21 is not an entirely practical one, because the pro numbers in Exhibit No. 21 are not organized in numerical or chronological order. Our examination of it indicates, however, that the bulk of the shipments therein were westbound from points in Arkansas, Missouri, and Oklahoma, and a comparison with Exhibit No. 22 shows that applicant had no corresponding movement of frozen fruit, berries, or vegetables. Examining Exhibit No. 21 in an effort to pick out those poultry shipments which seem

geographically compatible with the frozen fruit, berry, and vegetable authority granted below, we found only a few shipments common to both exhibits. This effort did not disclose any pattern which would justify a grant of authority.

A comparison of the frozen fish shipments listed on Exhibit No. 20 with the frozen fruit, berry, and vegetable shipments on Exhibit No. 22 indicates about 25 such mixed shipments moving from the Washington, Oregon, and California origins named by the examiner to destinations served on straight truckloads. Although this number is not large in comparison with the numbers of unmixed shipments, a comparatively broad grant of these rights is warranted to allow continued flexibility in applicant's operations. The grant of authority to transport these mixed shipments, as indicated in the findings herein, is based on these operations.

All of applicant's shipments of the involved commodities moving from Ontario, Oreg., Zillah, Wash., and points in Idaho consisted wholly or partially of frozen french fried potatoes. We therefore omitted from consideration shipments involving these frozen french fried potatoes, and also shipments moving in mixed truckloads with such products. See **Panther Oil and Grease Mfg. Co., Inc., Contr. Car. Applic.**, 84 M. C. C. 393. It may be noted that applicant has another application pending, in No. MC-117119 (Sub-No. 6), in which it is seeking specific authority from certain points in Oregon, Washington, and Idaho, which would comprehend these operations.

In counting mixed shipments of frozen fish and frozen fruits, berries, and vegetables we excluded, of course, consecutive shipments moving under the same pro number. Intrastate shipments were also excluded. We have considered all shipments moving on or after January 1,

1957, but none prior thereto as those were too remote from the statutory date. See **Refrigerated Dispatch Common Carrier Application**, 83 M. C. C. 411.

Protestants presented no evidence except a late-filed exhibit by P. I. E. listing 162 shipments, which it says should documents indicate they moved in private carriage in applicant's so-called "buy and sell" operation which ended about October 1, 1957. Applicant concedes that 55 of these shipments were in private carriage and disputes the status of the remaining 107 in its own aforementioned late-filed exhibit.

In determining whether the operations were for-hire transportation we have applied the primary business test. Compare **A. W. Stickle Co. v. Interstate Commerce Commission**, 128 F. 2d 155, and No. MC-117826, **Anton Gasson Common Carrier "Grandfather" Application**, . . . M. C. C. . . ., (decided June 20, 1961). We conclude that all of the transportation during the critical period was common carriage, even though in some instances applicant may not have regarded it as such.

2. **Grandfather Rights Justified.**

There is ample justification for grandfather rights to transport frozen fruits, frozen berries, and frozen vegetables from points in California, Oregon, and Washington to points in Arkansas, Kansas, Missouri, and Oklahoma, as recommended by the examiner, and since there is no opposition to this, this aspect of the application will not be further discussed.

California origins to other States. There also is adequate support for, and no opposition to, a grant of authority to transport all three commodities from points in California to points in Iowa. Protestant opposes a grant of similar authority to either Omaha, as recommended by

the examiner, or to all of Nebraska as applicant requests, but there is recorded a total of about 15 shipments from several California origins to several Nebraska destinations, including Omaha, which sufficiently establishes a pattern of Statewide operations in transporting these commodities. Protestant contends that applicant should be limited to service to Amarillo, Tex., from four named California origins, but it is evident that several other Texas destinations were served prior and subsequent to the critical date, such as Fort Worth, San Antonio, and El Paso, and we conclude that Statewide authority is warranted. On the other hand, no authority is justified to other destinations, since shipments thereto transported by applicant are shown essentially to have been either only sporadic, or discontinued, or begun subsequent to May 1, 1958. For example, there were a few shipments of frozen vegetables in 1957 to Nashville, Tenn., but none subsequently.

In 1959 there were a few shipments of frozen vegetables to Memphis and Knoxville, Tenn., but none previously through 1957. There is shown a single shipment of frozen berries to Denver, Colo., occurring in 1959, and two similar shipments to Detroit, occurring in 1960. No shipments were shown to Illinois destination subsequent to May 1, 1958, and only a few previously.

Oregon origins to other States. There were single shipments of frozen berries and frozen vegetables transported by applicant in 1957 to Omaha, but none subsequently. A single shipment moved to Spokane, Wash., in 1958 but none in 1957, 1959 or 1960. Also, a single shipment of frozen vegetables from another origin to Denver in early 1958, but none subsequently. Beyond these shipments, applicant's pertinent operations were performed in 1959 or subsequently. No authority greater than that indicated in our findings, therefore, is justified.

Washington origins to other States. No additional shipments are shown to other States during 1957 or the first 4 months of 1958. There were single shipments of frozen fruits and vegetables later in 1958 from Arlington and Prosser, to Denver, but no others subsequently. There is no justification for any additional authority from Washington origins.

Nebraska origins. Applicant transported frozen vegetables from Omaha to several points in Arkansas prior and subsequent to the critical date, and it is entitled to statewide authority for that commodity from Omaha. It also transported frozen fruit from Omaha to Modesto, Calif., before and after the critical date, and should be authorized to continue to do so. Its few other Nebraska originated shipments were sporadic and show no pattern to justify additional authority.

Michigan origins. Protestant concedes that a grant of authority to transport frozen fruit from points in the Lower Peninsula of Michigan to Kansas City, St. Joseph, Oklahoma City and points in Kansas is justified. Additionally, Omaha was served before and after the critical date from Michigan, and it too should be added to this destination territory on that commodity. Also, applicant transported a sufficient number of shipments of frozen berries and vegetables from several Michigan origins to Kansas City to justify a grant of authority here.

Minnesota origins. Beyond those shipments of frozen vegetables which protestant agrees warrant a grant of authority, applicant's operations were entirely sporadic.

Arkansas origins. Protestant concedes that applicant's operations warrant a grant of authority to transport frozen vegetables from Ft. Smith to Detroit, and frozen berries from Ft. Smith to Chicago. We find that it has transported frozen vegetables before and after the critical date

from Ft. Smith to San Francisco and Miami and Jacksonville, Fla., and that it therefore should be granted that additional authority. Four other scattered shipments (from two origins to four destinations in three States) occurred prior to the critical date during 1957 and 1958. Shipments from and to these points were not repeated subsequently. Various other points were served subsequently, but it would be very unrealistic for us to conclude that applicant was conducting operations from and to other points on the statutory date.

Delaware origins. Applicant transported a number of shipments of frozen vegetables from Clayton to Fayetteville and Springdale, Ark., from 1957 through 1960. It also handled other similar shipments from Clayton to Rogers, Ark., and from Milton to Springdale and Fayetteville after the critical date. In view of this we think applicant has shown its right to authority to continue transporting frozen vegetables from points in Delaware to points in Arkansas. Other Delaware originated shipments were only sporadic in nature.

Illinois origins. Applicant handled only a relatively few shipments of frozen fruits, berries, and vegetables from Chicago during this period, but there were enough to support a grant of authority from Chicago to Kansas City as recommended by the examiner. Other Illinois shipments were only sporadic in nature.

Origins in other States. Applicant transported no shipments of the involved commodities during the period January 1, 1957 to May 1, 1958, from points in a number of other States. From points in some of these States a few shipments were transported later, but these operations show no pattern upon which we can fairly or realistically base a grant of grandfather authority. States in this category include Arizona, Colorado, Georgia, Kansas, Louisi-

ana, Tennessee, New Jersey, Maryland, Missouri, New York, and Virginia. Shipments were shown to have originated at points in the last five named States during 1960 only. From points in Oklahoma, Pennsylvania, Texas, and Utah, there were a few shipments before and a few shipments after the statutory date, but not in any related pattern. For example, there were single shipments from Oklahoma City to Burbank, Calif., and Chicago during 1957, but none subsequently. A Tulsa shipment was transported to St. Louis, Mo., during 1958 after May 1. Thereafter, in 1960, applicant transported a number of shipments of frozen berries and vegetables from other Oklahoma origins to various other destinations. None of these operations were such as to justify grandfather authority.

3. **Republication.**

Opposing carriers who were present at the hearing do not appear to have been prejudiced by the incomplete summary of the application published in the Federal Register, but other members of the public who relied upon the notice as published may have an interest which has been prejudiced by the lack of proper notice. We shall, therefore, republish in the Federal Register the authority sought to transport frozen fish at the same time in the same vehicle with frozen fruit, berries, and vegetables as indicated in the findings. Any prejudiced person may file an appropriate pleading within 20 days of such publication.

4. **Findings.**

We find that applicant was, on May 1, 1958, in bona fide operation, in interstate or foreign commerce, as a common carrier by motor vehicle, over irregular routes of

(a) frozen fruit, frozen berries, and frozen vegetables

(1) from points in California, Oregon, and Washington to points in Arkansas, Kansas, Missouri and Oklahoma.

(2) from points in California to points in Iowa, Nebraska and Texas.

(3) from Chicago, Ill. to Kansas City, Mo.

(4) from points in the Lower Peninsula of Michigan to Kansas City, Mo.

(b) frozen fruit

(1) from Omaha, Nebr. to Modesto, Calif.

(2) from points in the Lower Peninsula of Michigan to St. Joseph, Mo., Oklahoma City, Okla., Omaha, Nebr. and points in Kansas.

(c) frozen vegetables

(1) from Omaha, Nebr. to points in Arkansas.

(2) from Ft. Smith, Ark. to Detroit, Mich., Miami and Jacksonville, Fla., and San Francisco, Calif.

(3) from points in Delaware to points in Arkansas.

(4) from points in Minnesota on and south of U. S. Highway 14 to Omaha, Nebr., Kansas City and St. Joseph, Mo., Oklahoma City, Okla., and points in Arkansas and Kansas.

(d) frozen berries from Fort Smith, Ark., to Chicago, Ill.

(e) frozen fish when moving in the same vehicle and at the same time with frozen fruits, frozen vegetables, or frozen berries from Seattle, Wash., and Astoria, Oreg., to points in Arkansas, Kansas, Missouri, and Oklahoma; and from San Francisco, Monterey, San Jose, and Los Angeles, Calif., to points in

Arkansas, Kansas, Missouri, Oklahoma, Iowa, Nebraska and Texas:

and has so operated since that time; that unless otherwise ordered a certificate authorizing the continuance of such operations should be granted after the elapse of 20 days from the date of republication in the Federal Register of a statement of the authority granted herein to transport frozen fish when transported at the same time in the same vehicle with frozen fruit, berries, or vegetables as indicated above; and that the application in all other respects should be denied.

Subject to the above condition with respect to republication, upon compliance by applicant with the requirements of sections 215, 217, and 221 (c) of the act, and with our rules and regulations thereunder within the time specified in the order entered concurrently herein, an appropriate certificate will be issued.

An appropriate order will be entered.

Commissioner Webb, dissenting in part:

Applicant has shown that it was engaged in good faith operations involving the transportation of frozen potato items in mixed loads with frozen fruits, vegetables and berries. In my opinion, the majority should not have refused to consider shipments of frozen fruits, vegetables and berries which moved in vehicles with frozen potato products. But cf. **Panther Oil and Grease Mfg. Co., Inc., Contr. Car. Applic.**, 84 M. C. C. 393.

A. Authority recommended by the examiner:

(a) frozen fruits, frozen berries, and frozen vegetables, (1) from Burley, Caldwell, and Nampa, Idaho, and points in California, Oregon, and Washington, to Denver, Colo., Detroit, Mich., Omaha, Nebr., and points

in Arkansas, Illinois, Iowa, Kansas, Missouri, Oklahoma, and Texas, (2) from Little Rock, Ark., and from points in that part of Arkansas on, north, and west of a line beginning at the Arkansas-Oklahoma State line near Fort Smith, Ark., and extending along Arkansas Highway 22 to Dardanelle, Ark., thence northward along Arkansas Highway 7 to Harrison, Ark., and thence along U. S. Highway 65 to the Arkansas-Missouri State line, to points in Illinois, Michigan, Missouri, and Texas, (3) from points in Minnesota on the south of U. S. Highway 14 to Omaha, Nebr., and points in Arkansas, Kansas, Missouri, and Oklahoma, (4) from points in the lower peninsula of Michigan to Omaha, Nebr., and points in Kansas, Missouri, and Oklahoma, (5) from Kansas City, Kans., Kansas City, Mo., Omaha, Nebr., and Oklahoma City, Okla., to points in California and Oregon, (6) from Omaha to points in Arkansas, and (7) from Chicago, Ill., to Kansas City, Mo., and (b) of frozen fish when moving in the same vehicle with frozen fruits, frozen berries, or frozen vegetables, from Monterey, San Jose, San Francisco, and Los Angeles, Calif., Idaho Falls and Twin Falls, Idaho, Astoria, Oreg., and Seattle, Wash., to points in Arkansas, Illinois, Iowa, Kansas, Missouri, Oklahoma, and Texas, all over irregular routes,

B. Authority protestant concedes should be granted:

(a) frozen fruit, berries, and vegetables

(1) from points in California, Oregon, and Washington to points in Arkansas, Kansas, Missouri, and Oklahoma

(2) from points in California to points in Iowa

(3) from Watsonville, Sanger, Modesto, and Santa Clara, Calif., to Amarillo, Tex.

(b) frozen fruit

(1) from Omaha, Nebr., to Modesto, Calif.

(2) from points in the lower peninsula of Michigan to Kansas City and St. Joseph, Mo., Oklahoma City, Okla., and points in Kansas

(c) frozen vegetables

(1) from Fort Smith, Ark., to Detroit, Mich.

(2) from Omaha, Nebr., to Fayetteville, Rogers, and Springdale, Ark.

(3) from points in Minnesota on and south of U. S. Highway 14 to Omaha, Nebr., Kansas City and St. Joseph, Mo., Oklahoma City, Okla., and points in Arkansas and Kansas

(d) frozen berries from Fort Smith, Ark., to Chicago, Ill.

Order.

At a Session of the Interstate Commerce Commission, Division 1, Held at Its Office in Washington, D. C., on the 27th day of September, A. D. 1961.

No. MC-117119 (Sub-No. 2)

Willis Shaw Frozen Express, Inc., Common Carrier "Grandfather" Application

Investigation of the matters and things involved in this proceeding having been made, and said division, on the date hereof, having made and filed a report herein containing its findings of fact and conclusions thereon, which report is hereby made a part hereof:

It is ordered, That said application, except to the extent granted in said report, be, and it is hereby, denied, effective November 13, 1961.

And it is further ordered, That unless compliance is made by applicant with the requirements of Sections 215, 217, and 221 (c) of the Interstate Commerce Act within 90 days after the date of service hereof, or within such additional time as may be authorized by the Commission, the grant of authority made in said report shall be considered as null and void and the application shall stand denied in its entirety effective upon the expiration of the said compliance time.

By the Commission, division 1.

Harold D. McCoy,
Secretary.

(Seal)

Service Date
February 20, 1962

Order

At a Session of the Interstate Commerce Commission, Division 1, Acting as an Appellate Division, Held at Its Office in Washington, D. C., on the 7th Day of February, A. D. 1962.

No. MC-117119 (Sub-No. 2)

Willis Shaw Frozen Express, Inc., Common Carrier
"Grandfather" Application

Upon consideration of the record in the above-entitled proceeding, and of:

(1) Petition of Willis Shaw Frozen Express, Inc., applicant filed December 1, 1961, for reconsideration;

(2) Reply by Pacific Intermountain Express Co., protestant, filed December 26, 1961;

and good cause appearing therefor:

It is ordered, That the said petition be, and it is hereby, denied, for the reason that the findings of Division 1 are in accordance with the evidence and the applicable law;

It is further ordered, That the order of September 27, 1961, as postponed pursuant to section 17 (8) of the Interstate Commerce Act, be, and it is hereby, reinstated and the effective date is fixed as March 30, 1962;

It is further ordered, That, unless compliance is made by applicant with the requirements of Sections 215, 217 and 221 (c) of the Interstate Commerce Act, within 90 days of service of this order, or within such additional time as may be authorized by the Commission, the grant of authority made in the report and order entered herein on September 27, 1961, shall be considered as null and void, and the application shall stand denied in its entirety effective upon expiration of the said compliance time.

By the Commission, Division 1, Acting as an Appellate Division.

Harold D. McCoy,
Secretary.

(Seal)

APPENDIX C.

Interstate Commerce Commission.

Served May 4, 1961.

Notice to the Parties.

Exceptions, if any, must be filed with the Secretary, Interstate Commerce Commission, Washington, D. C., and served on all other parties in interest, within 35 days from the date of service shown above, or within such further period as may be authorized for the filing of exceptions. At the expiration of the period for filing of exceptions, the attached order will become the order of the Commission and will become effective unless exceptions are filed seasonably or the order is stayed or postponed by the Commission. To be seasonably filed, exceptions must reach the Commission on or before the date they are due. If exceptions are filed, replies thereto may be filed within 25 days after the final date for filing exceptions. The stated specific time periods apply to all parties and give full effect to Rule 1.21 (c) of the General Rules of practice to the extent, if any, the provision of such rule otherwise would be applicable to this proceeding.

The certificate or permit will not be issued until the applicant has complied with the provisions of the Interstate Commerce Act and the requirements of the Commission thereunder. It should not be assumed that the recommended order has become effective as the order of the Commission until a notice to that effect, signed by the Secretary of the Commission, has been received.

No. MC-117119 (Sub-No. 2).

Willis Shaw Frozen Express, Inc., Common Carrier "Grandfather" Application.

Decided .....

Applicant found entitled to a certificate under the "grandfather" provision of Section 7 (c) of the Transportation Act of 1958 authorizing operation as a motor common carrier of specified commodities from and to points in a number of States. Issuance of a certificate recommended upon compliance by applicant with certain conditions, and application denied in certain respects.

A. Alvis Layne, Jr., and John H. Joyce for applicant.

Charles L. Ford, Jr., Earl J. Brooks, and Hugh T. Matthews for protestants.

Report and Order.

Recommended by William J. Cave, Hearing Examiner.

By application filed December 5, 1958, Willis Shaw Frozen Express, Inc., of Elm Springs, Ark., seeks[1] a certificate under the "grandfather" proviso of Section 7 (c) of the Transportation Act of 1958, authorizing operation, in interstate or foreign commerce, as a common carrier by motor vehicle, of frozen fruits, frozen berries, frozen vegetables, frozen poultry, frozen poultry parts, frozen fish and other frozen seafood, including seafood pies, meals, and dinners, from and to points in Alabama, Ari-

[1] The notice of the application as published in the Federal Register on February 4, 1959, did not reveal that applicant is seeking authority to transport frozen poultry, frozen poultry parts, frozen fish and other frozen seafood, including seafood pies, meals, and dinners.

zona, Arkansas, California, Colorado, Delaware, Florida, Georgia, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Jersey, New Mexico, New York, Oklahoma, Oregon, Ohio, Pennsylvania, Tennessee, Texas, Utah, Virginia, Washington and Wisconsin, over irregular routes.

The application was referred to the examiner for hearing and the recommendation of an appropriate order thereon accompanied by the reasons therefor. Hearing was held as scheduled on October 24, 1960, at Dallas, Tex. Class I Rail Carriers in the Western District, The Texas Railroad Association, and a number of motor carriers and railroads oppose the application.

Applicant is an Arkansas corporation and has been operating as a motor common carrier of property for several years. It is successor in interest to a motor carrier business initially instituted by Willis D. Shaw in 1938 and later performed by Willis D. Shaw and Ellis Bogen, a partnership, doing business as Willis Shaw Produce Co. Prior to 1948 the motor carrier business of Willis Shaw was restricted to the transportation of fresh fruits and vegetables and live poultry. Beginning in 1948 the partnership transported frozen fruits, frozen berries, frozen vegetables, frozen poultry, and frozen fish in addition to the other commodities named above. A certificate No. MC-117119, issued to applicant's predecessor on June 2, 1958, authorizing the transportation of frozen poultry and frozen foods from points in a territory in Arkansas to points in Arizona, California, Colorado, Idaho, Nevada, New Mexico, Oregon, and Washington was reissued to the applicant herein on February 4, 1959 subsequent to the approval, in No. MC-FC-61586-A, of the substitution of applicant as the purchaser of the operating rights of the partnership.

Applicant's president testified in support of the application and, in addition, he submitted abstracts of applicant's records of transportation performed on, prior, and subsequent to May 1, 1958. The abstracts referred to cover shipments transported from May 3, 1954 through October 20, 1960, and they show service from and to points in many States most of which are west of the Mississippi River. Prior to October 1957, applicant's predecessors transported some shipments as a private carrier. One of the protestants contends that the evidence reveals that 24.77 percent of all shipments transported by applicant's predecessors between May 3, 1954, and September 30, 1957, moved in private carriage, whereas applicant submits that the underlying documents in support of the abstracts of its records shows that only 8.4 percent moved in private carriage. However, the disagreement in respect of the extent of the private carriage is relatively unimportant because (a) the parties agree that no private carriage is shown to have been performed subsequent to September 30, 1957, and (b) a determination of applicant's grandfather operating rights can be made largely on the basis of operations shown to have been conducted continuously since October 1, 1957.

Although applicant is seeking authority to operate between points in 35 States in the performance of a nonradial cross-haul service, the documentary evidence of service rendered both prior and subsequent to May 1, 1958 reveals that applicant's operations as well as those of its predecessors have been radial in character and generally have extended (1) from base areas or points in California, Idaho, Oregon, and Washington to a territory within or immediately adjacent to Nebraska, Iowa, Illinois, Kansas, Missouri, Oklahoma, Arkansas, and Texas, (2) from points in a base area in Arkansas to points in California, Oregon, Illinois, Michigan, Missouri, and

Texas, (3) from points in a base area in Minnesota on and south of U. S. Highway 14 to Omaha, Nebr., and to points in an area embracing the States of Arkansas, Kansas, Missouri, and Oklahoma, (4) from points in the Lower Peninsula of Michigan to Omaha, Nebr., and points in a territory embracing Kansas, Missouri, and Oklahoma, (5) from Kansas City, Kans., Kansas City, Mo., Omaha, Nebr., and Oklahoma City, Okla., to points in California and Oregon, (6) from Omaha to points in Arkansas, and (7) from Chicago, Ill., to Kansas City, Mo.

The following named points are the principal points representative of the territories served by applicant and its predecessors. The West Coast points are: Modesto, Santa Maria, Sanger, Watsonville, Patterson, Santa Clara, San Jose, Santa Cruz, Salinas, Santa Barbara, Los Angeles, Oxnard, San Francisco, Sunnyvale, Fresno, Yuba City, Sacramento, Soquel, Manteca, Oakland, Paramount, Atascadero, Stockton, Hollister, Mt. View, San Martin, Turlock, Castroville, and Monterey, Calif.; Ontario, Albany, Salem, Hillsboro, Portland, Weston, Milton-Freewater, Sherwood, Woodburn, Tigard, Pendleton, Gresham, Astoria, Stayton, and West Salem, Oreg.; Snohomish, Arlington, Tacoma, Puyallup, Prosser, Yakima, Monroe, Sumner, Ridgefield, Vancouver, Burlington, Kent, Zillah, Seattle, Auburn, Wenatchee, Everett, Mt. Vernon, Stanwood, Olympia, Bellingham, Chehalis, Walla Walla, Ferndale, Frylands, and Grandview, Wash.; and Caldwell, Nampa, Burley, Idaho Falls, Twin Falls, and Boise, Idaho. The principal points in Michigan and Minnesota are: Frankfort, Traverse City, Lawrence, Hart, Ludington, Paw Paw, Detroit, North Port, Benton Harbor, Beulah, Eau Claire, Muskegon, Decatur, and St. Joseph, Mich.; and Fairmont, Waseca, Winnebago, Hopkins, and St. James, Minn. Points in Midwest territory are: Oklahoma City, Tulsa, Stillwell, and Muskogee, Okla.; Kansas City,

Carthage, St. Joseph, St. Louis, Springfield, and Mexico, Mo.; Hutchinson, Topeka, Kansas City, Salina, Wichita, Pittsburg, Meade, and Smith Center, Kans.; Omaha, Hastings, Lincoln, Fairbury, Grand Island, and York, Nebr.; Davenport, Burlington, Des Moines, Sioux City, Cherokee, Boone, Chariton, Cedar Rapids, Waterloo, and Laurens, Iowa; Chicago, Waukegan, Wheaton, Milan, Decatur, Springfield, Illiopolis, Galesburg, Peoria, East Peoria, Macomb, and Havana, Ill.; Ft. Smith, Springdale, Little Rock, Van Buren, Search, Fayetteville, Rogers, and Clarksville, Ark.; and Dallas, Fort Worth, Houston, San Antonio, Amarillo, Lubbock, Commerce, Waco, and El Paso, Tex.

Several of the States covered by the application, including Louisiana, Indiana, and Tennessee were served by applicant or its predecessor with some consistency subsequent to 1958, but prior to 1959 there was no service to or from points in those States or the service rendered was so infrequent and sporadic as not to warrant a finding of bona fide operations from or to points in such States. As hereinbefore indicated, applicant and its predecessors have been transporting certain so-called "exempt" commodities and applicant is seeking authority to continue transporting such commodities when moving in the same vehicle with frozen fruits, frozen berries, or frozen vegetables. However, the only so-called exempt commodity shown to have been transported at the same time and in the same vehicle with frozen fruits, berries, and vegetables is frozen fish, which moved from certain points in California, Oregon, Washington, and Idaho, to points in Arkansas, Illinois, Iowa, Kansas, Missouri, Oklahoma, and Texas.

An applicant for authority under Section 7 (c) of the Transportation Act of 1958 has the burden of establishing that it was in *bona fide* operation on May 1, 1958 in the

transportation of the commodities from and to the points covered by its application, and that it has so operated since that time except as to interruptions in service over which it had no control. The term *bona fide* operation as used in the statute has been construed by the Interstate Commerce Commission and the Supreme Court to mean actual rather than potential or simulated service and an operation wherein there has been some consistency in the performance of a service as distinguished from an incidental, sporadic, or infrequent service. It would be difficult, if not impossible, to make and adhere to an inflexible rule as to the showing required to establish a bona fide operation within the meaning of the statute. For instance, there arises, as in the instant case, the question whether an applicant seeking authority under the "grandfather" proviso of the act should be granted authority to serve all points within the origin and destination areas shown to have been served or to serve only the specific points at which service has been rendered. In resolving this issue consideration must be given to the nature or characteristics of the service being performed, to the commodity or commodities transported, to the territorial pattern of distribution of the commodities, and to the shifting, if any, of the origin and destination points served.

In support of its claimed right of authority to serve both origins and destinations on a State-wide basis, the applicant herein presented evidence of the fact that points served in the transportation of frozen fruits, berries, and vegetables may shift from one point or area to another because shippers establish new processing plants and utilize different cold storage plants. While not specifically so stated of record it would appear that adverse elements affecting production in one or more normal producing areas would have a considerable bearing on the ability of a carrier to continue to provide a needed service if the

carrier did not hold the flexible territorial authority necessary under such circumstances.

Considering the class of commodities transported, the class of shippers served; and the character of service which applicant has rendered, the examiner is of the opinion that applicant should be granted flexible Statewide authority to the extent described in the findings herein. Compare **Fleming Common Carrier Application**, 8 M. C. C. 469.

In view of the fact that applicant holds a certificate authorizing the transportation of frozen foods from Little Rock, Ark., and points in that part of Arkansas on, north, and west of a line beginning at the Arkansas-Oklahoma State line near Fort Smith and extending along Arkansas Highway 22 to Dardanelle, Ark., thence northward along Arkansas Highway 7 to Harrison, Ark., and thence along U. S. Highway 65 to the Arkansas-Missouri State line, to points in Arizona, California, Colorado, Idaho, Nevada, New Mexico, Oregon, and Washington, there will be no recommendation that applicant be granted duplicating authority from and to those points.

The only remaining matter requiring discussion is the question in respect of the propriety of findings that an applicant seeking authority under Section 7 (c) of the Transportation Act of 1958 may be granted authority to transport certain so-called exempt commodities in the same vehicle with frozen vegetables, fruits, and berries. As hereinbefore indicated, applicant has been transporting frozen fish in the same vehicle with the other commodities named and it desires to continue to so operate. This question was a matter at issue in **Lewis Common Carrier Application**, 82 M. C. C. 755, wherein the Commission, Division 1, found that in a case where an applicant under the "grandfather" proviso of Section 7 (c) has been

transporting frozen fish or other so-called "exempt commodities" in the same vehicle and at the same time with frozen fruits, frozen berries, and frozen vegetables, and had made appropriate application for authority to continue to so operate, it is consistent with the applicable provisions of the Act to grant the requested authority provided the applicant has established that it was in bona fide operation in performance of the service on and continuously since May 1, 1958, citing **Fish Transport Co., Inc., Common Carrier Application,** 27 M. C. C. 689, and **Berr Contract Carrier Application,** 43 M. C. C. 437. A petition for reconsideration of this finding of Division 1 was denied by the entire Commission order dated September 22, 1960, on the ground that the findings of Division 1 were in accordance with the evidence and applicable law. In view of this action by the Commission, the Examiner shall recommend that the applicant herein be granted authority to transport frozen fish when moving in the same vehicle with frozen vegetables, frozen fruits, and frozen berries, from and to the points specified in the findings herein.

The examiner is of the opinion that authority to transport frozen fish as herein recommended should be granted notwithstanding the fact that the notice of the scope of the application as published in the Federal Register did not reveal the full scope of the application. The conclusion in this respect is based on the facts (1) that frozen fish is a commodity that applicant or any other carrier may transport without authority provided the fish does not move in the same vehicle with commodities subject to the certificate requirements of the Act, (2) that protestants will not be prejudiced by continuance of a service which applicant and its predecessors lawfully have performed in competition with protestants over a long period of years, and (3) that republication of the application in

the Federal Register for correcting an inadvertent error would not in this particular case serve any purpose other than to delay the ultimate disposition of an application proceeding which has been pending for more than two years.

Findings.

The examiner finds that on May 1, 1958, applicant was in bona fide operation, in interstate or foreign commerce, as a common carrier by motor vehicle, (a) of frozen fruits, frozen berries, and frozen vegetables, (1) from Burley, Caldwell, and Nampa, Idaho, and points in California, Oregon, and Washington, to Denver, Colo., Detroit, Mich., Omaha, Nebr., and points in Arkansas, Illinois, Iowa, Kansas, Missouri, Oklahoma, and Texas, (2) from Little Rock, Ark., and from points in that part of Arkansas on, north, and west of a line beginning at the Arkansas-Oklahoma State line near Fort Smith, Ark., and extending along Arkansas Highway 22 to Dardanelle, Ark., thence northward along Arkansas Highway 7 to Harrison, Ark., and thence along U. S. Highway 65 to the Arkansas-Missouri State line, to points in Illinois, Michigan, Missouri, and Texas, (3) from points in Minnesota on and south of U. S. Highway 14 to Omaha, Nebr., and points in Arkansas, Kansas, Missouri, and Oklahoma, (4) from points in the Lower Peninsula of Michigan to Omaha, Nebr., and points in Kansas, Missouri, and Oklahoma, (5) from Kansas City, Kans., Kansas City, Mo., Omaha, Nebr., and Oklahoma City, Okla., to points in California and Oregon, (6) from Omaha to points in Arkansas, and (7) from Chicago, Ill., to Kansas City, Mo., and (b) of frozen fish when moving in the same vehicle with frozen fruits, frozen berries, or frozen vegetables, from Monterey, San Jose, San Francisco, and Los Angeles, Calif., Idaho Falls and Twin Falls, Idaho, Astoria, Oreg., and Seattle, Wash., to points in Arkansas, Illinois, Iowa, Kansas, Missouri, Oklahoma, and

Texas, all over irregular routes, and has so operated since that time; that applicant is entitled to a certificate authorizing continuance of the described operation; and that the application in all other respects should be denied.

It is recommended that the appended order be entered.

By William J. Cave, Hearing Examiner.

(Signature) William J. Cave.

Recommended by William J. Cave,
Hearing Examiner

(Signature) William J. Cave.

Order.

At a Session of the Interstate Commerce Commission, Division 1, held at its office in Washington, D. C., on the .... day of ..... A. D. 1961

No. MC-117119 (Sub-No. 2)

Willis Shaw Frozen Express, Inc., Common Carrier
"Grandfather" Application

Investigation of the matters and things involved in this proceeding having been made, said application upon due notice having been heard by the Examiner, who has made and filed a report herein containing his findings of fact and conclusions thereon, which report is hereby made a part hereof, and said proceeding having been duly submitted:

It is ordered, That upon compliance with the requirements of sections 215, 217, and 221 (c) of the Interstate Commerce Act, and with our rules and regulations thereunder, a certificate be issued to applicant authorizing operations, in interstate or foreign commerce, as a common carrier by motor vehicle of the commodities described,

and in the manner described in the findings in the said report.

It is further ordered, That the application in all other respects be, and it is hereby, denied.

It is further ordered, That unless compliance is made by applicant with the requirements of sections 215, 217, and 221 (c) of the act within 90 days after the date of service of a notice to the parties that this order has become effective as the order of the Commission, or within such additional time as may be authorized by the Commission, the grant of authority made in said report shall be considered as null and void and the application shall stand denied in its entirety effective upon the expiration of the said compliance time.

And it is further ordered, That this order shall be effective on

By the Commission, division 1.

Harold D. McCoy,
Secretary.

(Seal)

APPENDIX D.

Comparative Statement of Operating Authority Recommended by Hearing Examiner and That Granted by the Commission in MC-117119 (Sub. No. 2) (R. 714-718).

Authority to Which Plaintiff Found Entitled in Examiner's Report	Authority Granted Plaintiff by Commission
1. Frozen Fruits, Frozen Berries and Frozen Vegetables From points in California To Denver, Colorado, Detroit, Michigan, Omaha, Nebraska, and points in Arkansas, Illinois, Iowa, Kansas, Missouri, Oklahoma and Texas	1. Frozen Fruit, Frozen Berries and Frozen Vegetables From points in California To points in Arkansas, Iowa, Kansas, Missouri, Nebraska, Oklahoma, and Texas The Commission did not grant: From points in California To Denver, Colorado, Detroit, Michigan, or points in Illinois
2. Frozen Fruits, Frozen Berries and Frozen Vegetables From points in Oregon and Washington To Denver, Colorado, Detroit, Michigan, Omaha, Nebraska, and points in	2. Frozen Fruit, Frozen Berries and Frozen Vegetables From points in Oregon and Washington To points in Arkansas, Kansas, Missouri, and Oklahoma

Authority to Which Plaintiff Found Entitled in Examiner's Report	Authority Granted Plaintiff by Commission
Arkansas, Illinois, Iowa, Kansas, Missouri, Oklahoma and Texas	The Commission did not grant: From points in Oregon and Washington To Denver, Colorado, Detroit, Michigan, Omaha, Nebraska, or to points in Illinois, Iowa, and Texas
3. Frozen Fruits, Frozen Berries and Frozen Vegetables From Burley, Caldwell and Nampa, Idaho To Denver, Colorado, Detroit, Michigan, Omaha, Nebraska, and points in Arkansas, Illinois, Iowa, Kansas, Missouri, Oklahoma, and Texas	3. The Commission did not grant any authority from Idaho
4. Frozen Fruits, Frozen Berries and Frozen Vegetables From Little Rock, Arkansas, and points in that part of Arkansas on, north and west of a line	4. Frozen Vegetables From Fort Smith, Arkansas To Detroit, Michigan, Miami and Jacksonville,

Authority to Which Plaintiff Found Entitled in Examiner's Report	Authority Granted Plaintiff by Commission
beginning at the Arkansas-Oklahoma State line near Fort Smith, Arkansas, and extending along Arkansas Highway 22 to Dardanelle, Arkansas, thence northward along Arkansas Highway 7 to Harrison, Arkansas, and thence along U. S. Highway 65 to the Arkansas-Missouri State line	Florida, and San Francisco, California
To points in Illinois, Michigan, Missouri, and Texas	Frozen Berries From Fort Smith, Arkansas To Chicago, Illinois The Commission did not grant: (a) any point of origin in Arkansas other than Fort Smith, and that limited to either frozen berries or frozen vegetables; (b) any point of destination in Illinois other than Chicago, and that limited to frozen berries; (c) any point of destination in Michigan other than Detroit, and that limited to frozen vegetables; (d) any point of destination in Missouri or Texas
5. Frozen Fruits, Frozen Berries and Frozen Vegetables From points in Minnesota on and south of U. S. Highway 14	5. Frozen Vegetables From points in Minnesota on and south of U. S. Highway 14

Authority to Which Plaintiff Found Entitled in Examiner's Report	Authority Granted Plaintiff by Commission
To Omaha, Nebraska, and points in Arkansas, Kansas, Missouri, and Oklahoma	To Omaha, Nebraska, Kansas City and St. Joseph, Missouri, Oklahoma City, Oklahoma, and points in Arkansas and Kansas The Commission did not grant: (a) Frozen berries or frozen fruits; (b) any point in Missouri as destination, other than Kansas City and St. Joseph; (c) any point in Oklahoma as destination, other than Oklahoma City.
6. Frozen Fruits, Frozen Berries and Frozen Vegetables From points in the Lower Peninsula of Michigan To Omaha, Nebraska, and points in Kansas, Missouri, and Oklahoma	6. Frozen Fruit From points in the Lower Peninsula of Michigan To Omaha, Nebraska, St. Joseph, Missouri, Oklahoma City, Oklahoma, and points in Kansas Frozen Fruit, Frozen Berries and Frozen Vegetables From points in the Lower Peninsula of Michigan To Kansas City, Missouri

Authority to Which Plaintiff Found Entitled in Examiner's Report	Authority Granted Plaintiff by Commission
	The Commission did not grant: (a) Frozen berries or frozen vegetables other than to Kansas City, Missouri; (b) any point in Missouri as destination, other than St. Joseph and Kansas City; (c) any point in Oklahoma as destination, other than Oklahoma City.
7. Frozen Fruits, Frozen Berries and Frozen Vegetables	7. Frozen Fruit
From Kansas City, Kansas, Kansas City, Missouri, Omaha, Nebraska, and Oklahoma City, Oklahoma	From Omaha, Nebraska
To points in California and Oregon	To Modesto, California
	The Commission did not grant: (a) Frozen berries or frozen vegetables; (b) Kansas City, Kansas, Kansas City, Missouri, or Oklahoma City,

Authority to Which Plaintiff Found Entitled in Examiner's Report	Authority Granted Plaintiff by Commission
	Oklahoma, as points of origin; (c) any point of destination in California other than Modesto; (d) any point of destination in Oregon.
8. Frozen Fruits, Frozen Berries and Frozen Vegetables From Omaha, Nebraska To points in Arkansas	8. Frozen Vegetables From Omaha, Nebraska To points in Arkansas The Commission did not grant: Frozen fruits or frozen berries
9. Frozen Fruits, Frozen Berries and Frozen Vegetables From Chicago, Illinois To Kansas City, Missouri	9. Frozen Fruit, Frozen Berries and Frozen Vegetables From Chicago, Illinois To Kansas City, Missouri
10. Frozen Fish when moving in the same vehicle with frozen fruits, frozen vegetables From Monterey, San Jose, San Francisco, and Los Los Angeles, Califor-	10. Frozen Fish when moving in the same vehicle and at the same time with frozen fruits, frozen vegetables or frozen berries From Seattle, Washington, and Astoria, Oregon

Authority to Which Plaintiff Found Entitled in Examiner's Report	Authority Granted Plaintiff by Commission
nia, Idaho Falls and Twin Falls, Idaho, Astoria, Oregon, and Seattle, Washington	
To points in Arkansas, Illinois, Iowa, Kansas, Missouri, Oklahoma, and Texas	To points in Arkansas, Kansas, Missouri, and Oklahoma, and From San Francisco, Monterey, San Jose, and Los Angeles, California To points in Arkansas, Kansas, Missouri, Oklahoma, Iowa, Nebraska, and Texas.
	The Commission did not grant: (a) Idaho Falls and Twin Falls, Idaho, as points of origin; (b) any point in Illinois as destination; (c) any point in Texas or Iowa as destination from Seattle and Astoria
11. The Examiner did not recommend the following authority granted by the Commission:	

Authority to Which Plaintiff Found Entitled in Examiner's Report	Authority Granted Plaintiff by Commission
(a) Frozen fruits, frozen berries, and frozen vegetables	
From points in California	
To points in Nebraska other than Omaha;	
(b) Frozen vegetables	
From Fort Smith, Arkansas	
To Miami and Jacksonville, Florida, and San Francisco, California;	
(c) Frozen vegetables	
From points in Delaware	
To points in Arkansas	

APPENDIX E.

Statutes Involved.

Motor Carrier Act

Section 203 (b) (6), 49 U. S. C., § 303 (b) (6)*

(b) Nothing in this chapter, except the provisions of section 304 of this title relative to qualifications and maximum hours of service of employees and safety of operation or standards of equipment shall be construed to include . . . (6) motor vehicles used in carrying property consisting of ordinary livestock, fish (including shell fish), or agricultural (including horticultural) commodities (not including manufactured products thereof), if such motor vehicles are not used in carrying any other property, or passengers, for compensation: **Provided, That the words "property consisting of ordinary livestock, fish (including shell fish), or agricultural (including horticultural) commodities (not including manufactured products thereof)" as used herein shall include property shown as "Exempt" in the "Commodity List" incorporated in ruling numbered 107, March 19, 1958, Bureau of Motor Carriers, Interstate Commerce Commission, but shall not include property shown therein as "Not exempt": Provided further, however, That notwithstanding the preceding proviso the words "property consisting of ordinary livestock, fish (including shell fish), or agricultural (including horticultural) commodities (not including manufactured products thereof)" shall not be deemed to include frozen fruits, frozen berries, frozen vegetables, cocoa beans, coffee beans, tea, bananas, or hemp, and wool imported from any foreign country, wool**

* Emphasized portions are the amendments to this Section effected by Section 7 (a) of the Transportation Act of 1958, 72 Stat. 573.

tops and noils, or wool waste (carded, spun, woven, or knitted), and shall be deemed to include cooked or uncooked (including breaded) fish or shell fish when frozen or fresh (but not including fish and shell fish which have been treated for preserving, such as canned, smoked, pickled, spiced, corned or kippered products) . . .

Transportation Act of 1958

Section 7 (a), 72 Stat. 573—[See Section 203 (b) (6) of the Motor Carrier Act, *supra*]

Section 7 (c), 72 Stat. 574

Subject to the provisions of section 210 of the Interstate Commerce Act [49 U. S. C., § 310], if any person (or its predecessor in interest) was in bona fide operation on May 1, 1958, over any route or routes or within any territory, in the transportation of property for compensation by motor vehicle made subject to the provisions of part II of that Act by paragraph (a) [§ 203 (b) (6) amendment] of this section, in interstate or foreign commerce, and has so operated since that time (or if engaged in furnishing seasonal service only, was in bona fide operation on May 1, 1958, during the season ordinarily covered by its operations and has so operated since that time), except in either instance as to interruptions of service over which such applicant or its predecessor in interest had no control, the Interstate Commerce Commission shall without further proceedings issue a certificate or permit, as the type of operation may warrant, authorizing such operations as a common or contract carrier by motor vehicle if application is made to the said Commission as provided in part II of the Interstate Commerce Act and within one hundred and twenty days after the date on which this section takes effect [August 12, 1958]. Pending the determination of any such application, the continuance of such operation without a

certificate or permit shall be lawful. Any carrier which on the date this section takes effect is engaged in an operation of the character specified in the foregoing provisions of this paragraph, but was not engaged in such operation on May 1, 1958, may under such regulations as the Interstate Commerce Commission shall prescribe, if application for a certificate or permit is made to the said Commission within one hundred and twenty days after the date on which this section takes effect, continue such operation without a certificate or permit pending the determination of such application in accordance with the provisions of part II of the Interstate Commerce Act.

In the Supreme Court of the United States

OCTOBER TERM, 1963

No. 201

WILLIS SHAW FROZEN EXPRESS, INC., APPELLANT

v.

UNITED STATES AND INTERSTATE COMMERCE COMMISSION

ON APPEAL FROM THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF ARKANSAS

MEMORANDUM FOR THE UNITED STATES AND THE INTERSTATE COMMERCE COMMISSION

This memorandum is submitted in order to state the reasons why the government believes that, although the district court correctly decided this case, the questions presented by the appeal warrant plenary consideration.

STATEMENT

This is a direct appeal from a final judgment of a three-judge district court (J.S. 25-26)[1] dismissing

[1] The district court, on March 8, 1963, denied appellant's motion for rehearing or reargument (J.S. 27).

appellant's complaint which sought to set aside a report and order of the Interstate Commerce Commission (J.S. 28-43) partially denying appellant's application for "grandfather" motor carrier authority under Section 7(c) of the Transportation Act of 1958 (72 Stat. 573).

Section 7(a) of the Transportation Act of 1958 (72 Stat. 573) amended the so-called agricultural commodities exemption of Part II of the Interstate Commerce Act to subject to economic regulation [2] the transportation by motor vehicle in commerce of "frozen fruits, frozen berries, frozen vegetables" and certain other listed commodities.[3] A Commission certificate or permit authorizing the transportation of such commodities is now required under Part II of the Act. However, a "grandfather" provision—Section 7(c) of the 1958 Act—provided that upon time-

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[2] Prior to the 1958 Act, the so-called agricultural commodities exemption in Section 203(b)(6) of the Interstate Commerce Act (49 U.S.C. 303(b)(6)) exempted from economic regulation motor vehicles carrying agricultural commodities "not including manufactured products thereof". Although the Commission had ruled that frozen fruits, berries and vegetables were not exempt from economic regulation under this provision, court decisions beginning in 1948 had extended the exemption to commodities, such as these frozen foods, which had "received varying degrees of commercial processing". See H. Rep. 1922, 85th Cong., 2d Sess., pp. 15-16.

[3] The other commodities whose transportation was specifically made subject to the Act were cocoa beans, coffee beans, tea, bananas, hemp, imported wool, wool tops and noils, and wool waste which had been carded, spun, woven or knitted. The exemption of frozen or fresh sea food was confirmed and was extended to breaded cooked fish or shell fish (*id.*, p. 17).

ly application the Commission should "without further proceedings" issue a certificate or a permit to any person who on May 1, 1958, and thereafter [4] was "in bona fide operation . . . in the transportation of property for compensation by motor vehicle" made subject to economic regulation by the 1958 Act.

On December 5, 1958, appellant sought "grandfather" rights pursuant to Section 7(c) for the motor transportation, as a common carrier, of frozen fruits, frozen berries, frozen vegetables and other frozen foods such as poultry and sea food, the transportation of which (when not mixed with regulated commodities) is still exempt from the Act, non-radially over irregular routes between all points in 35 States.[5]

The Commission authorized the issuance of a certificate of more limited scope than that requested by appellant (J.S. 37-39).[6] It awarded authority for

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[4] Section 7(c) recognizes two modifications of May 1, 1958, as the critical date on and after which the "bona fide operation" must have been conducted. These are: (1) operations involving "seasonal service only" and (2) "interruptions of service over which" the applicant "had no control". Appellant did not rely on these nor are they applicable here.

[5] The States were Alabama, Arizona, Arkansas, California, Colorado, Delaware, Florida, Georgia, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Jersey, New Mexico, New York, Ohio, Oklahoma, Oregon, Pennsylvania, Tennessee, Texas, Utah, Virginia, Washington and Wisconsin.

[6] In his report the hearing examiner had recommended a broader grant of authority than ultimately awarded by the Commission, although less than sought by appellant (J.S. 53-54). See *Federal Communications Commission* v. *Allentown Broadcasting Corp.*, 349 U.S. 358, 364.

the transportation of frozen fruits, frozen berries and frozen vegetables from any point in California, Oregon and Washington to any point in Arkansas, Kansas, Missouri and Oklahoma, as well as authority to transport certain of these commodities from origins in six other states to destinations in seven other states (J.S. 38). Additionally, the Commission authorized the transportation at the same time of frozen fish in mixed shipments with frozen fruits, berries or vegetables from designated West Coast points to points in seven States (J.S. 38-39). The three-judge district court held the Commission had "correctly employed the statutory standards prescribed" in Section 7(c) of the Transportation Act of 1958, and sustained the Commission's disposition of the appellant's application (J.S. 25-26).

ARGUMENT

Appellant's was one of 950 applications for "grandfather" rights under Section 7(c).[7] In cases involving the issues presented in this appeal or related issues, three-judge district courts have reviewed ten Commission dispositions of "grandfather" applications under Section 7(c) of the Transportation Act of 1958. In five such cases, in addition to the case at bar, the Commission was sustained.[8] In three cases

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[7] Interstate Commerce Commission, Supplement to the Seventy-Fifth Annual Report, p. 33 (1963).

[8] *Home Transfer & Storage Co.* v. *United States*, C.A. No. 62-297, D. Oreg., October 22, 1963, sustaining *Home Transfer & Storage Co.*, 88 M.C.C. 223 (1961); *Northwest Fisheries*

decided after the filing of appellant's Jurisdictional Statement, the district courts reversed and remanded the cases to the Commission for further consideration.[9] These cases evidence a continuing uncertainty as to the proper interpretation and application of Section 7(c). Accordingly, while we believe the decision below was correct, we cannot say that the questions "are so unsubstantial as not to need further argument" (Rule 16(1)(c)). We therefore do not oppose the notation of probable jurisdiction.

The statutory standard governing grandfather rights under Section 7(c) is "bona fide operation on

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Transp., Inc. v. *United States*, C.A. No. 5481, W.D. Wash., May 17, 1962, sustaining *Northwest Fisheries Transp., Inc.*, 89 M.C.C. 324 (1961); *Olmsted* v. *United States*, C.A. No. 5480, W.D. Wash., May 17, 1962, sustaining *Refrigerated Truck Lines*, 86 M.C.C. 377 (1961); *Consolidated Freightways Corp.* v. *United States*, C.A. No. 40438, N.D. Cal., May 3, 1962, sustaining *Consolidated Freightways Inc.*, 84 M.C.C. 637 (1961); *Battaglia* v. *United States*, C.A. No. 61-321, D. Oreg., March 29, 1962, sustaining *Produce Transport Dispatch*, 84 M.C.C. 451 (1961). A *per curiam* opinion sustaining the Commission was filed in each of these cases and they are unreported.

[9] *Hale Distributing Co.* v. *United States*, C.A. No. 62-88-S, S.D. Cal., July 8, 1963; *Frozen Food Express* v. *United States*, C.A. No. 9250 N.D. Tex., July 9, 1963; *J. Edward Jarman* v. *United States*, C.A. No. 13692, D. Md., June 18, 1963, reversing and remanding, respectively, the Commission's report and orders in *Hale Distributing Co. Common Carrier Application*, 89 M.C.C. 361 (1961), *Frozen Food Exp. Common Carrier Application*, 89 M.C.C. 555 (1961), and *Jarman Common Carrier Application*, 84 M.C.C. 343 (1961). See also *Winter Garden Company* v. *United States*, 211 F. Supp. 280 (E.D. Tenn.).

May 1, 1958 . . . and * * * since that time." Such operations must be actual and substantial, not merely potential.[10] The case presents three problems as to the scope of authority warranted by the evidence of past operations.

1. The Commission, in determining the scope of the appellant's past bona fide operations, did not deem frozen fruits, frozen berries and frozen vegetables to comprise a single commodity class (as appellant argues), but three distinct classes. It therefore declined to award appellant "grandfather" authority to transport each of the three classes except to the extent that it showed that it had handled the particular class from and to points within the considered areas.

Appellant urges that frozen fruits, frozen berries and frozen vegetables are merely "sub-categories of a single class of commodities," namely, "the frozen foods made subject to regulation by Section 7(a) of the 1958 Act," that they have "identical transportation characteristics and requirements," and that "any failure [by it] actually to transport frozen commodities in all three of these overlapping categories between any given pair of points was more a matter of chance than of choice." (J.S. 12) This view was adopted by another district court in the *Winter Gar-*

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[10] *Noble* v. *United States*, 319 U.S. 88, 93; *United States* v. *Carolina Carriers Corp.*, 315 U.S. 475, 489-90; *Alton R. Co.* v. *United States*, 315 U.S. 15, 24.

den case.[11] On the other hand, the Commission's approach has been sustained by three district courts in addition to the court below.[12]

2. The Commission regarded shipments prior to January 1, 1957, as "too remote" from the "grandfather" date, May 1, 1958, for consideration in determining the scope of appellant's bona fide operations on such date (J.S. 33). The appellant had introduced abstracts of records covering shipments from May 3, 1954, and it contends that "the Commission's refusal to consider any evidence prior to January, 1957, less than two full growing seasons prior to the May 1, 1958, date specified in the statute, is flatly erroneous" (J.S. 13). Two cases have reversed the Commission's rejection of pre-1957 shipments on the ground that a single season's operations were not sufficiently repre-

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[11] *Winter Garden Company* v. *United States, supra*, at 289. In *Frozen Food Express* v. *United States, supra*, the court said, "While the language of the Act may not foreclose a fact issue on this matter, there is nothing in such language indicating that these commodities *must* be treated as one class."

[12] *Northwest Fisheries Transp., Inc.* v. *United States, supra*, *Consolidated Freightways Corp.* v. *United States, supra*, *Battaglia* v. *United States, supra*.

In *United States* v. *Carolina Carriers Corp., supra*, upon which appellant relies, the Court held that an applicant carrier was entitled to grandfather rights as a general commodity carrier if he had transported representative shipments of that recognized class. Here, the Commission properly regarded each of the 11 categories listed in Section 7(c) as a separate commodity class, and, therefore, representative shipments of each must have been transported as a prerequisite to a grant of grandfather rights.

sentative of the applicant's actual business.[13] The court below upheld the Commission's limitation of proof. We believe that the use of the time limitation is sanctioned by the statute (see, also, *Alton R. Co.* v. *United States*, *supra*, 315 U.S. at 23) and afforded an appropriate measure of applicant's actual operations.

3. This case also involves a third point, not common to the other court cases, *supra*, under Section 7(c). The Commission granted appellant authority to transport certain commodities still exempt from regulation, *i.e.*, frozen fish and seafood, in the same vehicle with frozen fruits, berries or vegetables but only from certain west coast port origins (J.S. 39). Appellant contends that the requirement that the mixed shipment originate at a port prevents it from initiating "mixed shipments at the inland points where the 'mixing' could normally be expected to occur" and that the Commission has effectively destroyed its pre-existing ability to handle mixed shipments (J.S. 16, 18). The Commission's grant of authority, however, was in substantial conformity with the showing made of actual prior operations in which the loading of frozen fruits, berries and vegetables occurred at or near the port where the fish was loaded.

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[13] *Winter Garden Company* v. *United States*, *supra*; *Frozen Food Express* v. *United States*, *supra*.

CONCLUSION

Although we believe that the decision below is correct, we do not oppose the notation of probable jurisdiction.

Respectfully submitted.

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SEPTEMBER 1963.

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No. 201

IN THE

Supreme Court of the United States

OCTOBER TERM, 1963

WILLIS SHAW FROZEN EXPRESS, INC., *Appellant*,

v.

UNITED STATES and INTERSTATE COMMERCE COMMISSION, *Appellees*.

Appeal from the United States District Court for the Western District of Arkansas

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BRIEF FOR WILLIS SHAW FROZEN EXPRESS, INC.

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February 17, 1964

PRESS OF BYRON S. ADAMS, WASHINGTON, D. C.

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IN THE

Supreme Court of the United States

OCTOBER TERM, 1963

No. 201

WILLIS SHAW FROZEN EXPRESS, INC., *Appellant*,

v.

UNITED STATES and INTERSTATE COMMERCE COMMISSION, *Appellees*.

Appeal from the United States District Court for the Western District of Arkansas

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BRIEF FOR WILLIS SHAW FROZEN EXPRESS, INC.

OPINIONS BELOW

The United States District Court for the Western District of Arkansas filed no opinion. The judgment of the District Court dismissing the complaint (R. 395-396) and its order denying Appellant's motion for rehearing (R. 417-418) are not reported. The report of the Interstate Commerce Commission (Division 1) is printed at 89 M.C.C. 377 (R. 334-345). The order of

the Commission denying reconsideration is not reported (R. 386-387). The report and order recommended by the Commission's hearing examiner is not reported (R. 325-333).

JURISDICTION

The judgment of the United States District Court for the Western District of Arkansas was entered February 11, 1963 (R. 395). Appellant's motion for rehearing was denied by the District Court March 8, 1963 (R. 417). Notice of appeal was filed April 11, 1963 (R. 418). Probable jurisdiction was noted October 21, 1963, 375 U.S. 876 (R. 422). This Court has jurisdiction to review the judgment of the District Court under 28 U.S.C. § 1253.

QUESTIONS PRESENTED

1. Whether the "grandfather" clause of section 7(c) of the Transportation Act of 1958 requires the Interstate Commerce Commission to grant to affected motor carriers the right to conduct future regulated operations in substantial parity with the scope of prior unregulated operations.

2. If so, may the Interstate Commerce Commission validly atomize a "grandfather" applicant's common carrier business in the transportation of the entire class of previously unregulated frozen agricultural commodities throughout broad origin and destination territories

> (a) by fragmenting commodity authority through restriction of future operations to transportation of frozen fruits only, between specified points or areas; frozen vegetables only, between

other specified points or areas; and frozen berries only, between yet other specified points and areas;

(b) by refusing to consider the full scope and effect of seasonal and other variations affecting prior operations, together with the holding out and ability of applicant to perform common carrier service;

(c) by reducing for the future the scope of prior operations in the transporation of other frozen agricultural commodities or seafoods, expressly characterized by the statute as exempt from economic regulation by the Commission.

STATUTE INVOLVED

The pertinent provisions of section 7 of the Transportation Act of 1958, 72 Stat. 573, 49 U.S.C. § 303(b)(6) and following, are set out in Appendix A, *infra*, pages 1a-3a.

STATEMENT

This is an appeal from a judgment of the United States District Court for the Western District of Arkansas, composed of three judges, affirming an order of the Interstate Commerce Commission. The order of the Commission denied in part and granted in part an application of Appellant, Willis Shaw Frozen Express, Inc., under the "grandfather" provisions of section 7(c) of the Transportation Act of 1958.

Willis Shaw, the president and principal stockholder of Appellant, started a trucking business in 1938 (R. 160). From 1948 to 1958 the business was a partnership (R. 160). The business was incorpo-

rated under its present name in 1958 (R. 160).[1] Shaw's headquarters and base of operations are at Elm Springs, located in northwest Arkansas (R. 70).

Shaw initially transported fresh fruits, vegetables, and live poultry, commodities exempt from economic regulation by the Commission (R. 160). As these commodities began to be marketed in refrigerated or frozen form, Shaw's equipment and operations were changed accordingly (R. 74, 165). By 1955 Shaw had acquired 29 trucks capable of transporting frozen fruits, berries, and vegetables, as well as iced and frozen poultry (R. 75, 167). On May 1, 1958, the "grandfather" date fixed by the Transportation Act of 1958, Shaw was operating some 34 refrigerated units capable of transporting frozen commodities (R. 77-78, 173). The substantial volume of frozen and ice-packed poultry produced in the northwest Arkansas area and transported by Shaw to destinations throughout a broad area of the country gave Shaw ample equipment available for return movements of other exempt frozen commodities (R. 101). Shaw's transportation services were performed in a broad geographic area and included all of the frozen and refrigerated agricultural commodities and seafoods then exempt from rate and certificate regulation by the Interstate Commerce Commission. Shaw advertised its trucking service as early as 1954 and 1955 in magazines widely circulated in the frozen food, poultry, and egg industries (R. 75, 166). Shaw advertised as a specialist in refrigerated transportation of poultry, eggs, fruits, and vegetables (R. 167, 172, 181). The volume of shipments from any one area fluctuated with the growing

[1] Appellant and its predecessors in interest are hereafter generally referred to as "Shaw."

season of the vegetables, fruits, or berries, and with crop or climatic conditions (R. 7, 39). The distribution pattern of frozen foods required small shipments to be loaded in a single truck for delivery at several destinations, often in different states (R. 89, 228, 232). The various commodities to be shipped on a given truck were sometimes stored in warehouses at different points, and Shaw would pick up parts of the shipment at several points of origin, frequently located in different states (R. 89, 232).

Following enactment of the Transportation Act of 1958 on August 12, 1958, Shaw filed a timely application under the "grandfather" provision of the Act to continue operations as a common carrier over irregular routes of frozen fruits, berries, and vegetables, and frozen seafoods and poultry when transported with such fruits, berries, and vegetables (R. 1). Shaw sought authority to continue operations as a common carrier over irregular routes from and to points in a 35-state area.[2]

A hearing on the application was held before an examiner of the Commission in October 1960. A number of railroads and regulated general commodity truck lines appeared in opposition to the application (R. 65). In support of the application, Shaw presented the testimony of its president and principal stockholder (R. 70-155), copies of advertisements (R. 166, 167, 172), lists of motor vehicles used in perform-

[2] Alabama, Arizona, Arkansas, California, Colorado, Delaware, Florida, Georgia, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Jersey, New Mexico, New York, Ohio, Oklahoma, Oregon, Pennsylvania, Tennessee, Texas, Utah, Virginia, Washington, and Wisconsin (R. 2).

ing transportation (R. 173-174), records of transportation taxes paid (R. 171), and abstracts of the shipments of exempt frozen fruits, berries, vegetables, poultry and seafood transported during the period January 1955-October 1960 (R. 201-323). The abstracts were supported by production of the original freight bills, invoices, and truck dispatch records kept by Shaw (R. 84). All of the evidence was received except an exhibit showing transportation of iced and frozen poultry (R. 158).

The examiner found that Shaw's operations had been and were those of a common carrier (R. 331); that Shaw was entitled to a certificate to continue operations in the transportation of the entire class of frozen fruits, berries, and vegetables (R. 331); that, "considering the class of commodities transported, the class of shippers served, and the character of service which applicant has rendered," Shaw "should be granted flexible statewide authority" (R. 329-330). The examiner accordingly recommended a substantial portion but not all of the authority for which Shaw had applied (R. 327, 331-332).[3]

Exceptions to the examiner's Report and Recommended Order were filed by an opposing truck line and by Shaw.

The Commission, Division 1 (one member dissenting in part), although finding Shaw's operations to have been those of a common carrier over irregular routes, substantially reduced the authority to which

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[3] A detailed statement of the operating authority to which the examiner found Shaw entitled is set out in Appendix B of this brief, *infra*, pages 4a-9a.

the examiner had found Shaw entitled.[4] The Commission treated each of the frozen commodities—fruits, berries, and vegetables—as a separate class or group for the purpose of determining the prior scope of Shaw's common carrier operations. The Commission thus required a substantial showing of transportation of each of the three commodities, before and after the "grandfather" date, from and to each of the involved points or areas (R. 339-341). The Commission refused to consider any shipment handled by Shaw prior to January 1, 1957, as "too remote from the statutory date" (R. 338). The Commission sustained the examiner's rejection of evidence of transportation of frozen poultry, although the evidence was offered to show Shaw's actual ability to perform service and the availability of motor vehicles on and prior to the statutory date at numerous points within the territory covered by the application (R. 336).

The Commission made no findings with respect to seasonal, climatic, or transportation characteristics of the commodities involved; the character or extent of service held out by Shaw; or the extent of Shaw's actual ability to render service—factors that led the examiner to conclude Shaw should be granted flexible state-wide authority to transport all three of the formerly exempt items.

The Commission, Division 1, acting as an Appellate Division to reconsider its own order, denied Shaw's petition for reconsideration (R. 386-387).

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[4] A detailed statement of the authority to which the Commission concluded Shaw was entitled appears in Appendix B of this brief, *infra*, pages 4a-9a. The Report of the Commission, Division 1, appears at R. 334-345.

This action was filed by Shaw in the United States District Court for the Western District of Arkansas to enjoin, set aside, and annul the order of the Commission. By order dated May 24, 1964, the effective date of the Commission's order was stayed pending further order (R. 394).

The District Court entered judgment February 11, 1963, dismissing the complaint (R. 395). Although the Court filed no opinion, the judgment recited that the Commission's findings and conclusions were "not arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with the law"; that "the findings of fact of the Commission, as set out in its report and order dated September 27, 1961, and served October 5, 1961, are supported by substantial evidence"; and that the Commission, "in applying the provisions of Sec. 7(c) of the Transportation Act of 1958 (72 Stat. 573, following 49 U.S.C., Sec. 303), commonly referred to as the 'grandfather' clause, correctly employed the statutory standards prescribed by Congress in said Act, and that said Commission did not use a new or different standard in interpreting the clause than it did in interpreting the 'grandfather' clause of the predecessor statute, the Motor Carrier Act of 1935, 59 [sic] U.S.C., Sec. 306(a)" (R. 395-396). A motion for rehearing was denied by the District Court (R. 417-418). This appeal followed.

SUMMARY OF ARGUMENT

The "grandfather" clause of section 7 of the Transportation Act of 1958 directed the Commission to issue to truckers of formerly exempt agricultural commodities operating authority to continue bona fide operations conducted on and since the "grandfather" date,

May 1, 1958. The Commission denied Appellant the right to conduct future operations to which it was entitled under the statute. The Commission did so (1) by denying Appellant authority to haul, between the points and areas previously served, the entire class of frozen agricultural commodities—fruits, berries, and vegetables—made subject to regulation, and by limiting Appellant at certain origin points to transportation of a single commodity to some destinations and another commodity to other destinations; (2) by reducing the broad geographic scope of Appellant's prior operations as a result of refusing to consider evidence of operations during the crop seasons prior to 1957, ignoring the transportation characteristics of the service previously rendered, and omitting consideration of Appellant's ability to perform refrigerated truck service; (3) by restricting Appellant's transportation of frozen fish and seafoods—commodities still exempt from economic regulation—in the same truck with frozen fruits, berries, or vegetables.

The Commission violated the standards prescribed for determination of "grandfather" applications. *United States* v. *Carolina Freight Carriers Corp.*, 315 U.S. 475 (1942). The Commission ignored Appellant's status and performance as a common carrier, the transportation characteristics and marketing pattern of these seasonal agricultural products, and the demonstrated ability of Appellant to perform the service. The Commission treated Appellant's prior bona fide operation as a series of unrelated shipments rather than an operational entity. The Commission has prescribed future operations wholly divorced from prior reality.

ARGUMENT

1. Section 7 of the Transportation Act of 1958 Entitles Shaw to Substantial Parity in Commodity and Geographic Scope Between Future Operations and Prior Bona Fide Operations as a Common Carrier

Until August 12, 1958, section 203(b)(6) of the Interstate Commerce Act, 49 U.S.C. § 303(b)(6), exempted from economic regulation by the Commission motor vehicles transporting "ordinary livestock, fish (including shell fish), or agricultural . . . commodities (not including manufactured products thereof), if such motor vehicles are not used in carrying any other property, or passengers, for compensation."

The scope and application of this exemption, particularly of the parenthetical "manufactured products," had been repeatedly the subject of litigation before the Commission and the courts. The Commission adopted a restrictive view of the exemption and held that the processing (such as freezing) of agricultural commodities was "manufacture." *Determination of Exempted Agricultural Commodities,* 52 M.C.C. 511, 534 (1951). This Court, however, concluded that processing was not "manufacture" so long as a particular agricultural commodity retained a continuing substantial identity through the processing stage. *East Texas Motor Freight Lines* v. *Frozen Food Express,* 351 U.S. 49, 54 (1956). Under the test of continuing substantial identity, frozen fruits, berries, and vegetables were exempt under section 203(b)(6). *Home Transfer & Storage* v. *United States,* 141 F.Supp. 599 (W.D. Wash. 1956), *aff'd* 352 U.S. 884; see also *Frozen Food Express* v. *United States,* 148 F.Supp. 399 (S.D.Tex. 1956), *aff'd* 355 U.S. 6.

Congress, at the urging of the Commission and others,[5] including railroads and regulated truck lines, amended the exemption. Section 7(a) of the Transportation Act of 1958 defined exempt commodities to include those listed as "Exempt" on the commodity list in Ruling 107, dated March 19, 1958, of the Bureau of Motor Carriers of the Commission, but not to include the items shown in the ruling as "Non-exempt."[6] Section 7(a) further provided that motor vehicles transporting "frozen fruits, frozen berries, frozen vegetables, cocoa beans, coffee beans, tea, bananas, or hemp, and wool imported from any foreign country, wool tops and noils, or wool waste (carded, spun, woven or knitted)"—all of which had been administratively or judicially determined to be agricultural commodities and were listed as exempt in Ruling 107—should not be exempt from regulation by the Commission on and after August 12, 1958.

The general purpose of section 7 was to freeze the exempt status of agricultural commodities, except specifically enumerated articles including frozen fruits, berries, and vegetables. These agricultural commodities were removed from the exempt list, and their

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[5] See, e. g., Seventy-first Annual Report of the Interstate Commerce Commission (1957), pages 138-139; Hearings—Subcommittee of the Committee on Interstate and Foreign Commerce of the House of Representatives, 85th Cong., 2nd Sess., on H.R. 5823 (1958), pages 83, 97, 118, 284, 288.

[6] Ruling 107 is reported at ¶ 25,107 Federal Carriers Reports (Commerce Clearing House), and is appended to H.Rep. 1922, 85th Cong., 2nd Sess. (1958).

transportation by motor vehicle was made subject to regulation by the Commission.[7]

"Grandfather" rights were provided for carriers that had transported the commodities made subject to regulation. Section 7(c) of the Transportation Act of 1958 provided that any person who was "in bona fide operation on May 1, 1958, over any route or routes or within any territory, in the transportation of property [made subject to regulation], and has so operated since that time (or if engaged in furnishing seasonal service only, was in bona fide operation on May 1, 1958, during the season ordinarily covered by its operations and has so operated since that time), except in either instance as to interruptions of service over which such applicant or its predecessor in interest had no control, the Interstate Commerce Commission shall without further proceedings issue a certificate or permit, as the type of operation may warrant. . . ."

This "grandfather" provision of section 7(c) is, except for the date, identical with the "grandfather" provision in the Motor Carrier Act of 1935,[8] when Congress first imposed regulation on the business of interstate trucking. The standards imposed by the statutory language in the 1935 Act for determination of "grandfather" rights were spelled out by this Court in *Alton Railroad Company* v. *United States,* 315 U.S.

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[7] S.Rep. 1647, 85th Cong., 2nd Sess. (1958), Committee on Interstate and Foreign Commerce, pages 4, 22-23; H.Rep. 1922, 85th Cong., 2nd Sess. (1958), Committee on Interstate and Foreign Commerce, page 17; H.Rep. 2274 (Conference Report), 85th Cong., 2nd Sess. (1958), page 15.

[8] 49 Stat. 551, now section 206 of Part II of the Interstate Commerce Act, 49 U.S.C. § 306.

15 (1942); *United States* v. *Carolina Freight Carriers Corp.*, 315 U.S. 475 (1942); and *Howard Hall Company, Inc.* v. *United States*, 315 U.S. 495 (1942).

In *Alton*, this Court approved the Commission's award of broad territorial authority to a "grandfather" applicant who had in fact operated to relatively few points within the territory awarded. The applicant had held itself out to serve, generally, points within the territory granted, and the business of the shippers was such that destination points varied and shifted from time to time. This Court pointed out that

> "While the test of 'bona fide operation' within a specified 'territory' includes 'actual rather than potential or simulated service' . . . it does not necessarily restrict future operations to the precise points or areas already served. The characteristics of the transportation service rendered may of necessity have made trips to any specified locality irregular or sporadic. And they may likewise have restricted prior operations to but a few points in a wide area which the carrier held itself out as being willing and able to serve." 315 U.S. 15, 21.

This Court held in *Alton* that the purpose of the "grandfather" clause was to create for those to whom Congress had extended its benefits a "substantial parity between future operations and prior bona fide operations." 315 U.S. 15, 22.

In *Carolina Freight Carriers*, this Court held that the substantial parity contemplated by the statute would not be preserved if the Commission granted "grandfather" rights imposing commodity limitations more restrictive than those self-imposed by the carrier

in prior bona fide operations. Noting that a common carrier by motor vehicle is one who "undertakes . . . to transport passengers or property, or any class or classes of property, for the general public in interstate . . . commerce by motor vehicle for compensation . . .,"[9] this Court held that the Commission

> ". . . may not atomize [the applicant's] prior service, product by product, so as to restrict the scope of his operations, where there is substantial evidence in addition to his holding out that he was in 'bona fide operation' as a 'common carrier' of a large group of commodities or of a whole class or classes of property. There might be substantial evidence of such an undertaking though the evidence as to any one article was not substantial. . . the natural and normal course of his business may reveal a continuous undertaking to transport any or all commodities embraced within the group or the class. . . . The questions are whether his service within the territory in question was sufficiently regular and whether his coverage of commodities was sufficiently representative to support a finding that he was in 'bona fide operation' as a 'common carrier' of the groups of commodities or of the class or classes of property during the periods in question." 315 U.S. 475, 484.

Moreover, "The fact that a particular commodity had never been transported between certain points in that territory would not mean that authority to haul it between them should be withheld. Likewise, if the applicant could establish that it was a 'common carrier' only of a limited number of commodities, there would normally be no statutory sanction for limiting the carriage of particular commodities in that group

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[9] As amended, section 203(a)(14) of Part II of the Interstate Commerce Act, 49 U.S.C. § 303(a)(14).

to specified points in the authorized area." 315 U.S. 475, 486.

The statutory standards this Court applied in connection with the "grandfather" provision of the 1935 Act, and the insistence upon adequate findings to support the Commission's order, are equally applicable to determination of "grandfather" rights conferred upon Appellant by section 7(c) of the 1958 Act. *Winter Garden Company* v. *United States,* 211 F. Supp. 280 (E.D. Tenn. 1962); *Hale Distributing Company* v. *United States,* 221 F.Supp. 266 (S.D. Cal. 1963); *Frozen Food Express* v. *United States,* 219 F.Supp. 131 (N.D. Tex. 1963).

2. There Is No Rational Finding by the Commission and No Substantial Record Evidence to Support Fragmenting Appellant's Transportation of Frozen Fruits, Berries, and Vegetables

The Commission, unlike the hearing examiner, refused to treat the formerly exempt frozen agricultural commodities—fruits, berries, and vegetables—as a single class of commodities, or to regard Appellant as a common carrier of the entire class. The Commission treated each frozen commodity separately, although finding Shaw's operations to be those of a common carrier (R. 338). The Commission required, as a prerequisite to future operations, a showing of substantial transportation, on and since the "grandfather" date, of each commodity to and from each geographic point. The Commission limited Appellant's future operations to a single one of the frozen commodities from a number of points or areas; in many instances, authority was limited to transportation, from a single origin, of one item to some destinations and another item to other destinations(R. 342).

This fragmenting of the geographic and commodity scope of prior service denies Appellant "substantial parity" between future operations and those prior to the "grandfather" date. *Winter Garden Company* v. *United States, supra,* at 289. The Commission ignored Appellant's holding out, as a common carrier, to transport all of the commodities. The Commission refused to consider Appellant's demonstrated ability to perform such service. The Commission disregarded the nature of the commodities involved. Frozen fruits, frozen berries, and frozen vegetables are and were transported identically in refrigerated trucks. The three commodities may be and frequently were transported by Shaw in the same vehicle at the same time (R. 292, 297, 298, 302). Shaw transported all of these sub-categories over broad areas prior to the "grandfather" date. Shaw advertised widely in the frozen food industry as a specialist in transporting all of the frozen commodities (R. 166, 167, 172). Shaw's only criterion was that the frozen commodities transported be among those exempt from regulation under section 203(b)(6)—as it stood prior to the 1958 amendment. Any failure actually to transport exempt frozen commodities between any given pair of points was fortuitous and not due to limitations imposed by Shaw on service offered to the public.

The serious effect of this fragmenting on Shaw's future operations is made clear by example: The Commission granted Shaw authority to transport frozen fruits, berries, and vegetables from points in the Lower Peninsula of Michigan to Kansas City, Missouri (R. 342). The Commission limited Shaw, however, to transportation of only frozen fruits from precisely the same origin to St. Joseph, Missouri; Omaha, Nebraska; Oklahoma City, Oklahoma; and points in

Kansas (R. 342). Shaw had transported frozen fruits, berries, and vegetables from Michigan origins to Kansas City, Missouri, during the 1957-1958 period considered relevant by the Commission, but had transported only frozen fruits to the other points in Missouri and to Kansas and Oklahoma (R. 237, 239, 241, 247, 251).

Other than a tabulation of prior shipments transported by Shaw, the Report of the Commission discloses no findings for the conclusion that Shaw's common carrier operations from Michigan to Kansas City, Missouri, included all three of the frozen agricultural commodities, but that operations from Michigan to points near Kansas City, such as St. Joseph, Missouri, were limited to a single item. Obviously, Shaw made no such distinction in the operations performed. Shaw transported all of the exempt frozen commodities as, where, and when tendered by the shipper. There is no statutory or factual justification for this "pulverization" of Appellant's prior operations. *Carolina Freight Carriers, supra,* at 488.

3. The Commission Unlawfully Curtailed Appellant's Future Operations by Refusing to Consider Relevant Evidence of Shaw's Past Performance and Ability to Perform Common Carrier Service

The Commission refused to consider evidence of Shaw's operations prior to January 1957 on the ground that such operations were "too remote" from the statutory date (R. 338). Applied to agricultural commodities, this conclusion ignores the transportation characteristics of the commodities and the language of the "grandfather" clause of section 7(c), which directs recognition of seasonal variations and interruptions in service over which the trucker had no control.

Winter Garden Company v. *United States, supra,* at 288; *Hale Distributing Company* v. *United States, supra,* at 270; *Frozen Food Express* v. *United States, supra,* at 137.

The evidence of record was that origins, destinations, and identity of commodities shipped between particular points varied with market considerations peculiar to the shippers' businesses, climatic and crop conditions, and the seasonal nature of agricultural commodities (R. 7, 89, 329). There are, therefore, substantial variations from year to year in the transportation service required and performed. The Commission limited consideration of Shaw's past operations to areas and points served during a single crop season. This made impossible a determination of the scope of Shaw's prior bona fide operations in light of the transportation and marketing characteristics of these commodities.[10]

Both the geographic and the commodity scope of operations previously conducted by Shaw were sharply curtailed for the future by the Commission's refusal to consider evidence of operations prior to 1957, combined with the treatment of each commodity as a separate class. The treatment given Shaw's operations from its home base in northwest Arkansas illustrates the restrictive and injurious effect upon future opera-

[10] The Commission also refused to consider, as relevant to any issue, evidence of the extent to which Shaw had trucks (suitable for the transportation of these frozen commodities) available to shippers in the territory within which Shaw held out a common carrier service. The Commission rejected an exhibit showing shipments of iced and frozen poultry, offered to show the points at which, after unloading, Shaw had available empty refrigerated trucks for which shipments of all types of exempt frozen agricultural commodities were solicited (R. 336).

tions of the Commission's exclusion of pre-1957 shipments and pulverization of prior operations:

The examiner found Appellant entitled to a certificate authorizing transportation of frozen fruits, berries, and vegetables from Little Rock, Arkansas, and from the northwest area of Arkansas, including Ft. Smith, Fayetteville, and Prairie Grove, to all points in Illinois, Michigan, Missouri, and Texas (R. 331-332).

The Commission, however, found as follows:

> "*Arkansas origins.* Protestant concedes that applicant's operations warrant a grant of authority to transport frozen vegetables from Ft. Smith to Detroit, and frozen berries from Ft. Smith to Chicago. We find that it has transported frozen vegetables before and after the critical date from Ft. Smith to San Francisco and Miami and Jacksonville, Fla., and that it therefore should be granted that additional authority. Four other scattered shipments (from two origins to four destinations in three States) occurred prior to the critical date during 1957 and 1958. Shipments from and to these points were not repeated subsequently. Various other points were served subsequently, but it would be very unrealistic for us to conclude that applicant was conducting operations from and to other points on the statutory date." (R. 340-341)

Interstate shipments originated by Shaw in Arkansas from 1956 through 1959 are reproduced on pages 20-21. Italics indicate shipments the Commission would permit Appellant to transport. All but four of the shipments prior to the May 1, 1958, "grandfather" date moved from Arkansas in the period between April 1 and late October, the crop season for agricultural commodities in the area (R. 7). The

SHIPMENTS OF FROZEN FRUITS, VEGETABLES, AND BERRIES ORIGINATED BY APPELLANT IN ARKANSAS

January 18, 1956, to May 19, 1959
(From Exhibit No. 22, R. 219-273)

Italicized entries indicate the only shipments the Commission found Appellant entitled to continue to transport

Page of Record	Date	Frozen Commodity	Arkansas Origin	Destination
219	1-18-56	Vegetables	Ft. Smith	Kansas City, Mo.
220	2-10-56	Vegetables	Ft. Smith	Kansas City, Mo.
221	3-15-56	Vegetables	Van Buren	New York, N. Y.
221	4-10-56	Vegetables	Ft. Smith	Kansas City, Mo.
222	5-12-56	Berries	Ft. Smith	Minneapolis, Minn.
222	5-14-56	Berries	Little Rock	Kansas City, Kan.
222	5-15-56	Vegetables	Ft. Smith	Kansas City, Mo.
222	5-16-56	Berries	Little Rock	Elkhart, Ind. Kankakee, Ill.
223	5-20-56	Berries	Little Rock	St. Joseph, Mo. Kansas City, Mo. Pittsburg, Kan.
223	5-23-56	Berries	Ft. Smith	Minneapolis, Minn.
223	6-07-56	Berries	Prairie Grove	Dallas, Texas
223	6-12-56	Berries	Prairie Grove	Des Moines, Iowa
224	7-07-56	Veg. & Berr.	Ft. Smith	Kansas City, Mo.
226	9-20-56	Vegetables	Ft. Smith	Birmingham, Ala. Tampa, Fla.
227	*10-20-56*	*Berries*	*Ft. Smith*	*Chicago, Ill.*
231	4-08-57	Fruits	Van Buren	Houston, Texas
231	*4-13-57*	*Vegetables*	*Ft. Smith*	Atlanta, Ga. *Jacksonville, Fla.*
232	4-29-57	Vegetables	Fayetteville	Camden, N. J.
235	*7-03-57*	*Vegetables*	*Ft. Smith*	*Miami, Fla.*
238	9-06-57	Berries	Ft. Smith	Buffalo, N. Y. Amsterdam, N. Y.
247	*3-07-58*	*Vegetables*	*Ft. Smith*	*San Francisco, Calif.*
250	*4-26-58*	*Vegetables*	*Ft. Smith*	*Detroit, Mich.*
		May 1, 1958		
250	5-07-58	Vegetables	Ft. Smith	Philadelphia, Pa. Camden, N. J.
250	5-07-58	Vegetables	Ft. Smith	Chicago, Ill.
251	5-25-58	Vegetables	Ft. Smith	Kansas City, Kan.
252	6-06-58	Veg. & Berr.	Ft. Smith	Chicago, Ill. St. Louis, Mo.
252	6-13-58	Veg. & Berr.	Ft. Smith	Chicago, Ill.
252	6-17-58	Vegetables	Ft. Smith	Exmore, Va.
254	7-28-58	Fruits & Veg.	Ft. Smith	Detroit, Mich.
255	8-19-58	Veg. & Berr.	Ft. Smith	St. Louis, Mo. Chicago, Ill.

Page of Record	Date	Frozen Commodity	Arkansas Origin	Destination
259	10-21-58	Vegetables	Searcy	Hillsboro, Ore.
261	11-05-58	Berries	Springdale	Kansas City, Mo.
261	11-05-58	Vegetables	Ft. Smith	St. Louis, Mo. Columbia, Mo.
261	11-12-58	Vegetables	Little Rock	St. Louis, Mo.
262	*11-28-58*	*Vegetables*	*Ft. Smith*	*Detroit, Mich.*
262	*12-09-58*	*Vegetables*	Little Rock *Ft. Smith*	St. Louis, Mo. *Detroit, Mich.*
264	1-26-59	Vegetables	Ft. Smith Little Rock	Mobile, Ala Birmingham, Ala.
267	*2-18-59*	*Vegetables*	*Ft. Smith*	*Detroit, Mich.*
268	*3-09-59*	*Vegetables*	*Ft. Smith*	*Detroit, Mich.*
269	3-25-59	Vegetables	Ft. Smith	Birmingham, Ala. Nashville, Tenn.
270	4-14-59	Vegetables	Ft. Smith	Houston, Texas
271	4-22-59	Vegetables	Ft. Smith	Philadelphia, Pa.
272	*5-06-59*	*Vegetables*	*Ft. Smith*	*Detroit, Mich.* Chicago, Ill.
273	5-14-59	Berries	Ft. Smith	Waco, Texas Dallas, Texas
273	5-19-59	Berries	Van Buren	Houston, Texas
275	6-24-59	Berries	Searcy	Pittsburgh, Pa.
276	7-23-59	Vegetables	Ft. Smith	Philadelphia, Pa. Baltimore, Md.
277	7-29-59	Veg. & Berr.	Ft. Smith	Kansas City, Mo.
276	8-05-59	Vegetables	Ft. Smith	Montgomery, Ala. Nashville, Tenn. Birmingham, Ala.
279	8-27-59	Vegetables	Ft. Smith	Dallas, Tex.
279	*9-05-59*	*Vegetables*	*Ft. Smith*	Mobile, Ala. *Jacksonville, Fla.* *Miami, Fla.*
281	9-26-59	Vegetables	Ft. Smith	Tampa, Fla. Birmingham, Ala. Montgomery, Ala.
282	10-03-59	Vegetables	Ft. Smith	Dallas, Tex.
282	10-08-59	Vegetables	Ft. Smith	Macon, Ga.
283	10-10-59	Vegetables	Ft. Smith	Birmingham, Ala. Jackson, Miss.
285	10-30-59	Veg. & Poultry	Fayetteville	Omaha, Neb.
285	11-07-59	Vegetables	Ft. Smith	Philadelphia, Pa.
286	11-13-59	Vegetables	Little Rock Ft. Smith	Montgomery, Ala. Birmingham, Ala.
287	12-08-59	Vegetables	Searcy	Portland, Ore.
288	12-16-59	Veg. & Berr.	Ft. Smith	Philadelphia, Pa.
289	12-28-59	Vegetables	Ft. Smith	Philadelphia, Pa. Richmond, Va.

May 1 "grandfather" date fixed by the statute cut off most of the 1958 season for shipments from Arkansas origins. The Commission's exclusion of 1956 shipments meant that Appellant's statutory rights were determined essentially on the basis of a single season's operations. The Commission chopped up the broad-range service Shaw had performed from Arkansas by disregarding repetitive service to a number of destination points and areas served before and after the "grandfather" date. Consideration of the earlier shipping seasons makes apparent the broad scope of Shaw's holding out to transport the entire class of commodities and to serve broad destination areas from Arkansas.

The disastrous impact on Appellant of the Commission's treatment appears by comparison of service actually performed by Shaw from Arkansas (set out on pages 20-21 of this brief) with the limited service Shaw would be permitted to perform under the Commission's findings. In the 16 months prior to the May 1, 1958, "grandfather" date, Shaw transported 22 truckloads of frozen fruits, berries, vegetables, or a mixture of these items, to 22 cities in 14 states from points in northwest Arkansas. Appellant would be permitted by the Commission to transport only four of these truckloads and part of another from Arkansas to the widely separated destinations of Miami and Jacksonville, Florida, San Francisco, California, Chicago, Illinois, and Detroit, Michigan (R. 342-343). In the 20-month period after the May 1, 1958, "grandfather" date to the end of 1959, Shaw transported 39 truckloads of frozen fruits, berries, vegetables, or a mixture of these items, from points in Arkansas. The Commission would permit Appellant to transport only

three of these loads and part of three others (R. 342-343). Prior to the "grandfather" date, Shaw transported, from one or more of the northwest Arkansas origins, frozen fruits, berries, and vegetables to a variety of destinations. The Commission, however, denied all authority to transport frozen fruits from Arkansas; authorized transportation of frozen berries (but not frozen vegetables) from Ft. Smith to Chicago, Illinois; authorized transportation of frozen vegetables (but not frozen berries) from Ft. Smith to Detroit, Michigan (R. 342-343). The cumulative effect of these restrictions is to forbid Shaw to transport such shipments as the frozen vegetables that moved on May 7, 1958, to Chicago; the mixed shipment of frozen berries and vegetables that moved to Chicago on June 6, 1958; the mixed shipment of frozen fruits and vegetables that moved on July 28, 1958, to Detroit. Excluding consideration of operations prior to 1957 permitted the Commission to limit the destinations to specific points to be served from Arkansas rather than to grant the statewide destination areas Shaw held itself out to serve and had in fact served. For example, the Commission authorized Shaw to transport vegetables from Ft. Smith to Jacksonville, Florida, a distance of almost 1,000 miles. Shaw was not authorized to serve any intermediate point or area, despite the fact that the very shipment on which the Commission must have relied for the Jacksonville destination (April 13, 1957; R. 231) was, in part, delivered at the intermediate point of Atlanta, Georgia. Nothing in the findings of the Commission justifies or establishes a basis for this treatment. If the Commission had been willing to consider the broad sweep of Shaw's operations from Arkansas, the restrictions imposed on future operations could not have been justified. Reference to the evi-

dence covering 1956 would have shown shipments from Ft. Smith to Birmingham, Alabama, and Tampa, Florida (R. 226), and, in the period immediately following the "grandfather" date, to Mobile (R. 264, 279), Birmingham (R. 264, 269, 276), and Montgomery (R. 276, 281), Alabama, and Nashville, Tennessee (R. 269, 276), as well as Tampa, Jacksonville, and Miami, Florida (R. 279, 281).

Shaw's prior common carrier service was obviously not limited to transportation from Arkansas of one item—frozen vegetables—to two points—Jacksonville and Miami—in the southeastern part of the United States. The Commission fragmented the service performed by Shaw and, ignoring the evidence of record, reached its conclusions by treating Shaw's prior service as a series of unrelated incidents. The result was to prescribe future operations divorced from reality.

This Court, in *Carolina Freight Carriers, supra,* at 488, noted that the Commission's determination of the scope of "grandfather" rights involves the economic life or death of the carrier, and that "empty or partially loaded trucks on return trips may well drive the enterprise to the wall." 315 U.S. 475, 488. It is impossible to believe that a trucking operation transporting—from Ft. Smith, Arkansas—frozen berries to Chicago and frozen vegetables to Miami and Jacksonville, Florida; San Francisco, California; and Detroit, Michigan, ever was or could be an operating or economic reality. Shaw would not have survived to reach the "grandfather" date by operating under the commodity and point-to-point restrictions the Commission now proposes to fasten on the operation. The Commission has effectively destroyed Shaw's struggle to obtion a place in the national transportation system. *Carolina Freight Carriers, supra,* at 488.

4. There Is No Rational Basis for the Commission's Denial of Authority to Transport Other Exempt Commodities

The Commission denied authority for Shaw to continue transporting frozen fish and seafood in the same vehicle with frozen fruits, berries, and vegetables, even within the limited geographic scope of the authority granted. The Commission thus effectively destroyed Appellant's pre-existing right to transport frozen fish and seafood in mixed shipments with frozen fruits, berries, and vegetables.

Prior to the Transportation Act of 1958, Appellant was free to transport frozen, uncooked, fish and shell fish without Commission authority, not only in full truckloads but also as partial loads in the same vehicle with frozen fruits, berries, and vegetables. Section 7(a) of the 1958 Act expressly made frozen fruits, berries, and vegetables subject to regulation, but the exemption for frozen fish and seafood was expanded to include "cooked or uncooked (including breaded)" fish and shell fish. The Commission's position is that carriers granted "grandfather" authority to transport frozen fruits, berries and/or vegetables are not authorized to transport frozen fish or shell fish in the same vehicle at the same time with frozen fruits, berries, and vegetables. Specific operating authority is required to transport such mixed loads. *Lewis, Common Carrier "Grandfather" Application,* 82 M.C.C. 755 (1960). In the Commission's view, carriers seeking "grandfather" authority to transport frozen fruits, berries, and vegetables might also be granted authority to transport mixed shipments, of which seafoods are a part, upon proof by the carrier of actual transportation of such mixed shipments prior to the "grandfather" date.

Appellant sought authority to transport frozen poultry, frozen fish, and seafood in the same vehicle with frozen fruits, berries, and vegetables (R. 2). Appellant relied upon a showing of actual past transportation of frozen fish, a prior holding out to transport exempt frozen foods generally, and the clearly implicit statutory intent to preserve and broaden the scope of the exemption for fish and shell fish. The scope of the authority granted by the Commission was, however, limited by the same mechanical process—tabulating prior shipments hauled by Shaw—used in the case of frozen fruits, berries, and vegetables. The Commission granted Appellant authority, as relevant here, to transport

> "frozen fish [only] when moving in the same vehicle and at the same time with frozen fruits, frozen vegetables, or frozen berries from Seattle, Wash., and Astoria, Oreg. . . . and from San Francisco, Monterey, San Jose, and Los Angeles, Calif. [to points in named midwestern states]." (R. 343)

This limited authority destroys any opportunity for Appellant to continue offering a service commensurate with that offered in the past. The effect is far less than substantial parity with Shaw's prior actual carriage of frozen fish.

Most shipments of frozen fruits, vegetables, and berries transported by Appellant from the West Coast area were from inland points such as Watsonville, Modesto, and Sanger, California (R. 265, 272). Shipments of fish were, of course, from seaports such as Monterey (R. 198). The Commission denied authority to transport mixed shipments from inland points, where the "mixing" would normally occur and regulated movement of fish would originate. For example, if Appellant had a vehicle available for loading at

Monterey, and were tendered a partial load of eastbound frozen fish at that point and of eastbound frozen vegetables at the inland California point of Modesto, both shipments could be handled in that one vehicle only by moving east to Modesto for the vegetables, then west to Monterey to mix in the fish shipment, then again east to destination. No trucker could operate economically in this fashion. Obviously, as the record demonstrates, past shipments were mixed at inland points enroute to destinations farther east (R. 99, 198, 249). The Commission has precluded the flexibility of operations that is vital to a broad-range trucking operation. The Commission imposed on Appellant an operational straitjacket that did not exist prior to 1958, and did so in direct contravention of its own conclusion that a "comparatively broad grant of [frozen fish] rights is warranted to allow continued flexibility in applicant's operations" (R. 337).

CONCLUSION

Appellant, Willis Shaw Frozen Express, Inc., for all of the foregoing reasons, submits that the judgment of the District Court should be reversed and the proceeding remanded to the Interstate Commerce Commission.

Respectfully submitted,

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February 17, 1964

APPENDIX A

Part II of the Interstate Commerce Act

Section 203(b)(6), 49 U.S.C. § 303(b)(6), 72 Stat. 573*

(b) Nothing in this chapter, except the provisions of section 304 of this title relative to qualifications and maximum hours of service of employees and safety of operation or standards of equipment shall be construed to include . . . (6) motor vehicles used in carrying property consisting of ordinary liv stock, fish (including shell fish), or agricultural (including horticultural) commodities (not including manufactured products thereof), if such motor vehicles are not used in carrying any other property, or passengers, for compensation: Provided, That the words "property consisting of ordinary livestock, fish (including shell fish), or agricultural (including horticultral) commodities (not including manufactured products thereof)" as used herein shall include property shown as "Exempt" in the "Commodity List" incorporated in ruling numbered 107, March 19, 1958, Bureau of Motor Carriers, Interstate Commerce Commission, but shall not include property shown therein as "Not exempt": Provided further, however, That notwithstanding the preceding proviso the words "property consisting of ordinary livestock, fish (including shell fish) or agricultural (including horticultural) commodities (not including manufactured products thereof)" shall not be deemed to include frozen fruits, frozen berries, frozen vegetables, cocoa beans, coffee beans, tea, bananas, or hemp, and wool imported from any foreign country, wool tops and noils, or wool waste (carded, spun, woven, or knitted), and shall be deemed to include cooked or uncooked (including breaded) fish or shell fish when frozen or fresh (but not including fish and shell fish which have been treated for preserving, such as canned, smoked, pickled, spiced, corned or kippered products). . . .

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* All but the italicized portion of this section was effected by section 7(a) of the Transportation Act of 195° 72 Stat. 573.

Transportation Act of 1958

Section 7(b), 72 Stat. 574, following 49 U.S.C. § 303

Unless otherwise specifically indicated therein, the holder of any certificate or permit heretofore issued by the Interstate Commerce Commission, or hereafter so issued pursuant to an application filed on or before the date on which this section takes effect [August 12, 1958], authorizing the holder thereof to engage as a common or contract carrier by motor vehicle in the transportation in interstate or foreign commerce of property made subject to the provisions of part II of the Interstate Commerce Act by paragraph (a) of this section [amending § 203(b)(6), *supra*], over any route or routes or within any territory, may without making application under that Act engage, to the same extent and subject to the same terms, conditions and limitations, as a common or contract carrier by motor vehicle, as the case may be, in the transportation of such property, over such route or routes or within such territory, in interstate or foreign commerce.

Section 7(c), 72 Stat. 574, following 49 U.S.C. § 303

Subject to the provisions of section 210 of the Interstate Commerce Act [49 U.S.C. § 310], if any person (or its predecessor in interest) was in bona fide operation on May 1, 1958, over any route or routes or within any territory, in the transportation of property for compensation by motor vehicle made subject to the provisions of part II of that Act by paragraph (a) [§ 203(b)(6) amendment] of this section, in interstate or foreign commerce, and has so operated since that time (or if engaged in furnishing seasonal service only, was in bona fide operation on May 1, 1958, during the season ordinarly covered by its operations and has so operated since that time), except in either instance as to interruptions of service over which such applicant or its predecessor in interest had no control, the Interstate Commerce Commission shall without further

proceedings issue a certificate or permit, as the type of operation may warrant, authorizing such operations as a common or contract carrier by motor vehicle if application is made to the said Commission as provided in part II of the Interstate Commerce Act and within one hundred and twenty days after the date on which this section takes effect [August 12, 1958]. Pending the determination of any such application, the continuance of such operation without a certificate or permit shall be lawful. Any carrier which on the date this section takes effect is engaged in an operation of the character specified in the foregoing provisions of this paragraph, but was not engaged in such operation on May 1, 1958, may under such regulations as the Interstate Commerce Commission shall prescribe, if application for a certificate or permit is made to the said Commission within one hundred and twenty days after the date on which this section takes effect, continue such operation without a certificate or permit pending the determination of such application in accordance with the provisions of part II of the Interstate Commerce Act.

APPENDIX B

Comparative Statement of Operating Authority Recommended by Hearing Examiner (R. 331-332) and That Granted by the Commission (R. 342-343) in MC-117119 (Sub. No. 2)

Hearing Examiner	*Commission*
1. Frozen Fruits, Frozen Berries and Frozen Vegetables From points in California To Denver, Colorado, Detroit, Michigan, Omaha, Nebraska, and points in Arkansas, Illinois, Iowa, Kansas, Missouri, Oklahoma and Texas	1. Frozen Fruit, Frozen Berries and Frozen Vegetables From points in California To points in Arkansas, Iowa, Kansas, Missouri, Nebraska, Oklahoma, and Texas The Commission did NOT grant: From points in California To Denver, Colorado, Detroit, Michigan, or points in Illinois
2. Frozen Fruits, Frozen Berries and Frozen Vegetables From points in Oregon and Washington To Denver, Colorado, Detroit, Michigan, Omaha, Nebraska, and points in Arkansas, Illinois, Iowa, Kansas, Missouri, Oklahoma and Texas	2. Frozen Fruit, Frozen Berries and Frozen Vegetables From points in Oregon and Washington To points in Arkansas, Kansas, Missouri, and Oklahoma The Commission did NOT grant: From points in Oregon and Washington To Denver, Colorado, Detroit, Michigan, Omaha, Nebraska, or to points in Illinois, Iowa, and Texas

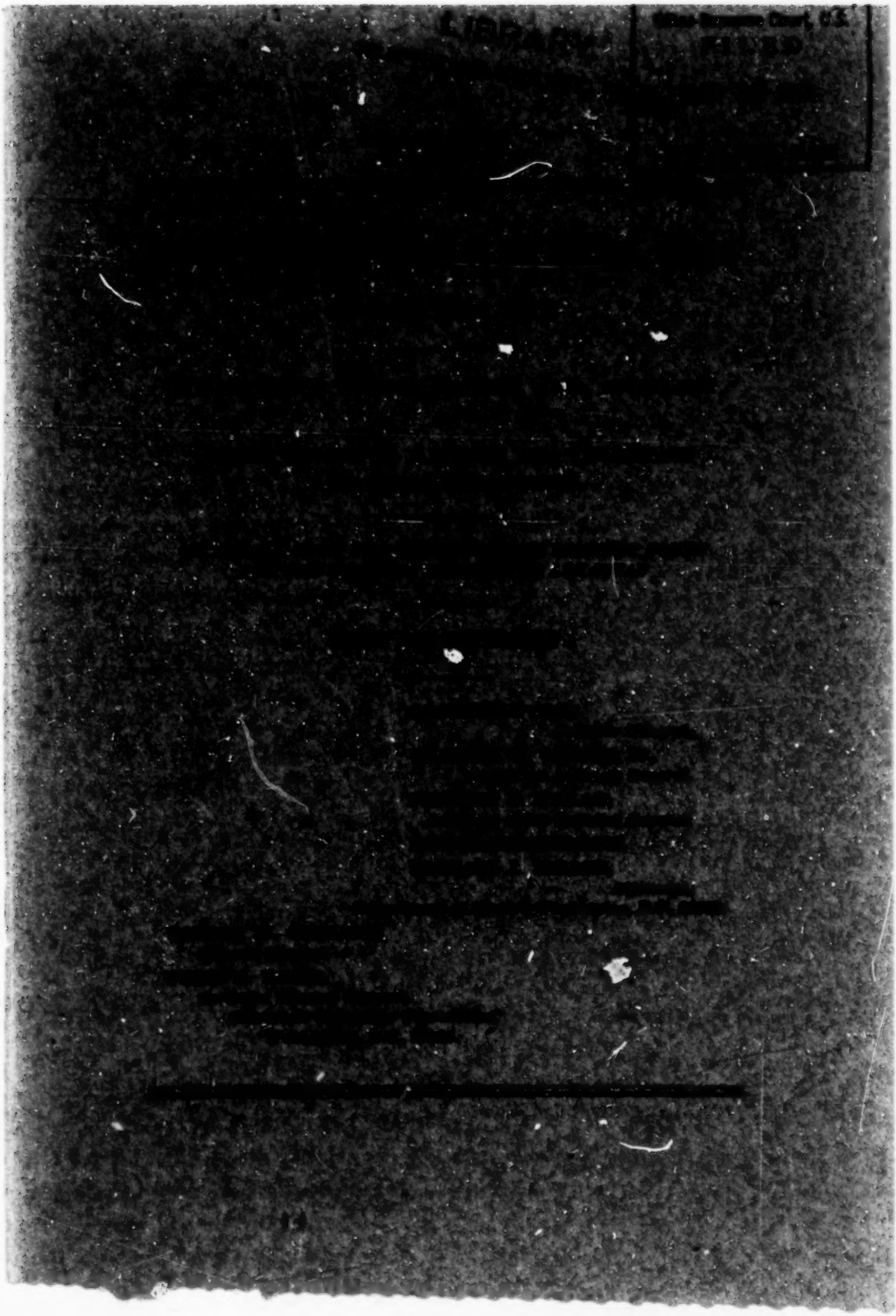
Hearing Examiner	*Commission*
3. Frozen Fruits, Frozen Berries and Frozen Vegetables From Burley, Caldwell and Nampa, Idaho To Denver, Colorado, Detroit, Michigan, Omaha, Nebraska, and points in Arkansas, Illinois, Iowa, Kansas, Missouri, Oklahoma, and Texas	3. The Commission did NOT grant any authority from Idaho
4. Frozen Fruits, Frozen Berries and Frozen Vegetables From Little Rock, Arkansas, and points in that part of Arkansas on, north and west of a line beginning at the Arkansas-Oklahoma State line near Fort Smith, Arkansas, and extending along Arkansas Highway 22 to Dardanelle, Arkansas, thence northward along Arkansas Highway 7 to Harrison, Arkansas, and thence along U. S. Highway 65 to the Arkansas-Missouri State line To points in Illinois, Michigan, Missouri, and Texas	4. Frozen Vegetables From Fort Smith, Arkansas To Detroit, Michigan, Miami and Jacksonville, Florida, and San Francisco, California Frozen Berries From Fort Smith, Arkansas To Chicago, Illinois The Commission did NOT grant: (a) any point of origin in Arkansas other than Fort Smith, and that limited to either frozen berries or frozen vegetables; (b) any point of destination in Illinois other than Chicago, and that limited to frozen berries; (c) any point of destination in Michigan other than Detroit, and that limited to frozen vegetables; (d) any point of destination in Missouri or Texas

Hearing Examiner	*Commission*
5. Frozen Fruits, Frozen Berries and Frozen Vegetables From points in Minnesota on and south of U. S. Highway 14 To Omaha, Nebraska, and points in Arkansas, Kansas, Missouri, and Oklahoma	5. Frozen Vegetables From points in Minnesota on and south of U. S. Highway 14 To Omaha, Nebraska, Kansas City and St. Joseph, Missouri, Oklahoma City, Oklahoma, and points in Arkansas and Kansas The Commission did NOT grant: (a) Frozen berries or frozen fruits; (b) any point in Missouri as destination, other than Kansas City and St. Joseph; (c) any point in Oklahoma as destination, other than Oklahoma City.
6. Frozen Fruits, Frozen Berries and Frozen Vegetables From points in the Lower Peninsula of Michigan To Omaha, Nebraska, and points in Kansas, Missouri, and Oklahoma	6. Frozen Fruit From points in the Lower Peninsula of Michigan To Omaha, Nebraska, St. Joseph, Missouri, Oklahoma City, Oklahoma, and points in Kansas Frozen Fruit, Frozen Berries and Frozen Vegetables From points in the Lower Peninsula of Michigan To Kansas City, Missouri The Commission did NOT grant: (a) Frozen berries or frozen vegetables, other than to Kansas City, Missouri;

Hearing Examiner	*Commission*
	(b) any point in Missouri as destination, other than St. Joseph and Kansas City;
	(c) any point in Oklahoma as destination, other than Oklahoma City.
7. Frozen Fruits, Frozen Berries and Frozen Vegetables	7. Frozen Fruit
From Kansas City, Kansas, Kansas City, Missouri, Omaha, Nebraska, and Oklahoma City, Oklahoma	From Omaha, Nebraska
To points in California and Oregon	To Modesto, California
	The Commission did NOT grant:
	(a) Frozen berries or frozen vegetables;
	(b) Kansas City, Kansas, Kansas City, Missouri, or Oklahoma City, Oklahoma, as points of origin;
	(c) any point of destination in California other than Modesto;
	(d) any point of destination in Oregon.
8. Frozen Fruits, Frozen Berries and Frozen Vegetables	8. Frozen Vegetables
From Omaha, Nebraska	From Omaha, Nebraska
To points in Arkansas	To points in Arkansas
	The Commission did NOT grant:
	Frozen fruits or frozen berries
9. Frozen Fruits, Frozen Berries and Frozen Vegetables	9. Frozen Fruit, Frozen Berries and Frozen Vegetables
From Chicago, Illinois	From Chicago, Illinois
To Kansas City, Missouri	To Kansas City, Missouri

Hearing Examiner	*Commission*
10. Frozen Fish when moving in the same vehicle with frozen fruits, frozen vegetables	10. Frozen Fish when moving in the same vehicle and at the same time with frozen fruits, frozen vegetables or frozen berries
From Monterey, San Jose, San Francisco, and Los Angeles, California, Idaho Falls and Twin Falls, Idaho, Astoria, Oregon, and Seattle, Washington	From Seattle, Washington, and Astoria, Oregon
To points in Arkansas, Illinois, Iowa, Kansas, Missouri, Oklahoma, and Texas	To points in Arkansas, Kansas, Missouri, and Oklahoma, and
	From San Francisco, Monterey, San Jose, and Los Angeles, California
	To points in Arkansas, Kansas, Missouri, Oklahoma, Iowa, Nebraska, and Texas
	The Commission did NOT grant:
	(a) Idaho Falls and Twin Falls, Idaho, as points of origin;
	(b) any point in Illinois as destination;
	(c) any point in Texas or Iowa as destination from Seattle and Astoria
11. The Examiner did NOT recommend the following authority granted by the Commission:	
(a) Frozen fruits, frozen berries, and frozen vegetables	

Hearing Examiner	*Commission*
From points in California	
To points in Nebraska other than Omaha;	
(b) Frozen vegetables	
From Fort Smith, Arkansas	
To Miami and Jacksonville, Florida, and San Francisco, California;	
(c) Frozen vegetables	
From points in Delaware	
To points in Arkansas	



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In the Supreme Court of the United States

OCTOBER TERM, 1963

No. 201

WILLIS SHAW FROZEN EXPRESS, INC., APPELLANT

v.

UNITED STATES OF AMERICA AND INTERSTATE COMMERCE COMMISSION

ON APPEAL FROM THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF ARKANSAS

BRIEF FOR APPELLEES

OPINIONS BELOW

The judgment of the district court, entered without opinion, appears at R. 395–396, and its order denying appellant's motion for rehearing appears at R. 417–418. The report of the Interstate Commerce Commission (R. 334–343) is reported at 89 M.C.C. 377.

JURISDICTION

The final judgment of the district court was entered on March 8, 1963 (R. 417–418). Notice of appeal was filed on April 11, 1963 (R. 418–421), and on October 21, 1963, this Court noted probable jurisdiction (R.

422). 375 U.S. 876. The jurisdiction of this Court is conferred by 28 U.S.C. 1253 and 2101(b).

QUESTIONS PRESENTED

The Transportation Act of 1958 subjected motor carriage of eleven previously exempt agricultural commodities, including "frozen fruits, frozen berries, frozen vegetables," to economic regulation by the Interstate Commerce Commission. Section 7(c) of the Act awarded "grandfather" rights to carriers who were in "bona fide operation on May 1, 1958, * * * [and] since that time" in the transportation of the eleven commodities. The questions presented are whether, in determining the extent of appellant's "bona fide operation on May 1, 1958, * * * [and] since that time"—

1. The Commission properly treated frozen fruits, frozen berries and frozen vegetables as comprising separate commodity classes, rather than a single class.

2. The Commission properly refused to consider evidence of shipments handled by the appellant before January 1, 1957, as "too remote" to establish "bona fide operation on May 1, 1958."

3. The Commission properly assessed the evidence of record relating to shipments of frozen fish moving with frozen fruit, frozen vegetables or frozen berries.[1]

---

[1] Under the words of Section 203(b)(6) of the Interstate Commerce Act (App. *infra*, p. 37), a carrier may not transport an exempt commodity (such as frozen fish) in mixed loads with non-exempt commodities (frozen fruit, etc.) without first obtaining specific operating authority. See *Lewis, Common Carrier "Grandfather" Application*, 82 M.C.C. 755.

STATUTES INVOLVED

Section 203(b)(6) of the Interstate Commerce Act, Part II (Motor Carrier Act, 1935), as amended, 49 U.S.C. 303(b)(6), and Section 7 (a) and (c) of the Transportation Act of 1958, 72 Stat. 573, 49 U.S.C. following 363(b), are set forth in Appendix A, *infra*, pp. 37–39.

STATEMENT

In 1958, Congress for the first time made motor carriage of eleven previously exempt agricultural commodities, including frozen fruits, frozen berries and frozen vegetables, subject to regulation by the Interstate Commerce Commission.[2] Section 7(c) of the Transportation Act of 1958 (App., *infra*, p. 38) provided for "grandfather" rights, that is, continued operating authority without the usual showing of need for the service, for "any person [who] was in bona fide operation on May 1, 1958, * * * [and] since that time" in transporting the commodities subjected to regulation. By timely application, filed with the Commission on December 5, 1958, the appellant, a substantial carrier of frozen poultry and frozen foods,[3]

[2] Section 7(a) of the Transportation Act of 1958, 72 Stat. 573, amending 49 U.S.C. 303(b)(6). The text of Section 7(a) is set forth in the Appendix, *infra*, pp. 37–38.

[3] Appellant began motor carrier operations in 1938 as a single proprietorship, transporting fresh fruits and vegetables and live poultry in interstate commerce (R. 160). By 1948, appellant, then a partnership, was transporting frozen commodities as well as fresh produce and poultry and was operat-

sought authorization under Section 7(c) to transport frozen fruits, frozen berries and frozen vegetables and, in mixed shipments with them, frozen poultry, frozen poultry parts, frozen fish and other frozen seafood nonradially over irregular routes, from and to points in 35 States.[4]

Appellant's application, protested by a number of railroads and motor carriers,[5] was heard before an examiner of the Commission. Appellant's evidence included a record of the approximately 5,000 shipments of frozen fruits, frozen vegetables and frozen berries transported by it from May 1954 to October 1960 (R. 205–323). This record disclosed, *inter alia*,

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ing about 20 tractor and trailer units. In 1957 appellant obtained an interim permit from the Interstate Commerce Commission as a contract carrier to haul frozen poultry and frozen foods and in 1958, this interim authority was changed to that of a common carrier (*ibid.*). Appellant, by then a corporation, was operating 27 tractors and 34 refrigerated trailers in the transportation of frozen commodities (R. 173–174). By 1960, appellant was operating 65 tractors (R. 82, 189–190) and 53 refrigerated trailers (R. 191–192), and employing approximately 100 drivers (R. 161–162).

[4] The States were Alabama, Arizona, Arkansas, California, Colorado, Delaware, Florida, Georgia, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Jersey, New Mexico, New York, Ohio, Oklahoma, Oregon, Pennsylvania, Tennessee, Texas, Utah, Virginia, Washington and Wisconsin.

[5] Protests were lodged by the New York Central Railroad Company, Louisville & Nashville Railroad Company, Boston & Maine Railroad, New York, New Haven, and Hartford Railroad Company, Chicago, Rock Island and Pacific Railroad Company, The Texas Railroad Association, class I rail carriers in the Western District, and Pacific Intermountain Express Co., Gillette Motor Transport, Inc., and Western Truck Lines, Ltd. (R. 335).

that appellant never handled shipments of any of the commodities in question from seven of the States with respect to which it sought authority,[6] and that from ten more it transported no such shipments at any time prior to the "grandfather" date of May 1, 1958.[7] From an additional State, Wisconsin, it had transported some shipments, but none were handled by it after July 1954.[8] From none of the origin areas did the appellant serve points in all of the 35 States specified in its application.

The examiner held that appellant's application covering 35 States did not fairly represent the service rendered prior and subsequent to the grandfather date of May 1, 1958. Instead, he ruled that appellant was entitled to a certificate authorizing continued operations along seven radial patterns which corresponded to appellant's prior operations (R. 327). The seven patterns included both state-wide authority for certain origins and destinations and,

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[6] Alabama, Florida, Indiana, Kentucky, Massachusetts, Mississippi and New Mexico.

[7] Arizona, Colorado, Georgia, Iowa, Louisiana, New Jersey, Ohio, Oklahoma, Tennessee, and Utah.

[8] A 19th State, Idaho, is removed from further consideration, for, as Shaw concedes, all of the loads from there as from Ontario, Oregon, and Zillah, Washington, contained frozen french fried potatoes or other non-exempt commodities, within the meaning of Section 203(b)(6) of the Interstate Commerce Act. See *Lester C. Newton Trucking Co.* v. *United States*, 209 F. Supp. 600 (D. Del. 1962), affirmed *per curiam*, 372 U.S. 702 (holding that french fried potatoes are not within the agricultural exemption). Shipments of the eleven commodities in mixed loads with non-exempt commodities do not qualify for grandfather rights under Section 7(c) of the Act.

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in other instances, more restrictive city-to-city operation. Without discussion, the examiner treated frozen fruits, frozen vegetables and frozen berries together as a single commodity class so that (for example) transportation of frozen vegetables satisfied the grandfather requirement for the three described categories. He also restricted his consideration of operations prior to the statutory grandfather date to shipments after October 1, 1957. The authority he recommended, although widespread, was far less than appellant had originally sought (R. 331–332). Appellant and certain of the protestants excepted to the examiner's report and order (R. 334).

The report and order of the Commission, Division 1 (R. 334–346), accepted the statement of facts in the examiner's report but reached somewhat different conclusions, enlarging the grant in certain respects and contracting it in others. The Commission treated frozen fruits, frozen vegetables and frozen berries as separate commodity classes and granted authority to transport each such commodity to the extent that appellant's prior operation disclosed that it had been transported. The Commission expanded the scope of the inquiry into operations prior to the statutory date and applied a January 1, 1957, cut-off date. It held that pre-1957 shipments were "too remote" (R. 338). Use of this date resulted in Commission consideration of 16 months of transportation activities by the appellant—from January 1, 1957, to May 1, 1958—involving approximately 800 different shipments, in addition to all operations conducted after May 1, 1958.

The Commission's grant of authority was as follows (R. 342–343):

(a) frozen fruit, frozen berries, and frozen vegetables—

(1) from points in California, Oregon, and Washington to points in Arkansas, Kansas, Missouri, and Oklahoma.

(2) from points in California to points in Iowa, Nebraska, and Texas.

(3) from Chicago, Ill., to Kansas City, Mo.

(4) from points in the Lower Peninsula of Michigan to Kansas City, Mo.

(b) frozen fruit—

(1) from Omaha, Nebr., to Modesto, Calif.

(2) from points in the Lower Peninsula of Michigan to St. Joseph, Mo., Oklahoma City, Okla., Omaha, Nebr., and points in Kansas.

(c) frozen vegetables—

(1) from Omaha, Nebr., to points in Arkansas.

(2) from Ft. Smith, Ark., to Detroit, Mich., Miami and Jacksonville, Fla., and San Francisco, Calif.

(3) from points in Delaware to points in Arkansas.

(4) from points in Minnesota on and south of U.S. Highway 14 to Omaha, Nebr., Kansas City and St. Joseph, Mo., Oklahoma City, Okla., and points in Arkansas and Kansas.

(d) frozen berries from Fort Smith, Ark., to Chicago, Ill.

(e) frozen fish when moving in the same vehicle and at the same time with frozen fruits, frozen vegetables, or frozen berries from Seattle, Wash., and Astoria, Oreg., to points in Arkansas, Kansas, Missouri, and Oklahoma; and from San Fran-

cisco, Monterey, San Jose, and Los Angeles, Calif., to points in Arkansas, Kansas, Missouri, Oklahoma, Iowa, Nebraska, and Texas.

Appellant's petition for reconsideration (R. 346–371) was denied by order of the Commission, Division 1, acting as an Appellate Division, entered February 7, 1962 (R. 386–387).[9]

The district court dismissed the appellant's complaint (R. 388–391) by *per curiam* order entered February 11, 1963 (R. 395–396). On March 8, 1963, it denied rehearing (R. 417–418).

SUMMARY OF ARGUMENT

A. The Transportation Act of 1958 conferred grandfather rights upon all carriers who were in "bona fide operation on May 1, 1958 * * * [and] since that time" (Section 7(c) in the transportation

[9] Appellant has received substantial additional authority in certificates of public convenience and necessity issued by the Commission subsequent to its decision in this case. Thus, appellant's description of the limited service which it was authorized to perform from Arkansas in this proceeding (Br. 18–24) has become, to a large extent, moot. The subsequent certificates, together with the grant of "grandfather" authority, enable it to perform a large number of the operations from Arkansas included in its Exhibit No. 22. Of the 86 shipments listed on pages 20 and 21 of its brief, the appellant will be able to continue to handle some 49. See Certificate MC–117119 and various subnumbers. The listed shipments which the appellant is unable to continue under the Commission's grant of authority would be shipments to Michigan, Mississippi, Nebraska, Oregon and Pennsylvania, never served before the "grandfather" date, and Illinois, Kansas, Missouri and Texas, to which the appellant transported a few shipments of frozen berries and frozen vegetables both before and after the "grandfather" date, but in each instance with an unexplained gap of operations of more than two years' duration. *See, infra*, pp. 25–28.

of the eleven listed agricultural commodities which were made subject to Commission economic regulation in the 1958 Act. In construing a similar grandfather provision in the Motor Carrier Act of 1935, see *United States* v. *Carolina Carriers Corp.*, 315 U.S. 475, 481, this Court held that the Commission is to provide "substantial parity between future operations and prior *bona fide* operations."

B. Viewed in the context of the 1958 legislation, the Commission's action in considering frozen fruits, frozen vegetables and frozen berries as separate commodity classes was proper. These were three of the eleven separately listed commodities in the 1958 Act, and an award of operating rights for these three items based on previous transportation of only one would run counter to the specific language of the Act. This Court's admonition to the Commission in *United States* v. *Carolina Carriers Corp., supra*, to avoid "atomization" of commodity classes is plainly inapposite. That case involved a general commodity carrier seeking rights under the broad commodity-classification language of the 1935 legislation. The proper interpretation of the specific listing of eleven commodity classes in the 1958 Act poses an entirely different issue. Furthermore, under the original Motor Carrier Act, the Commission was awarding operating rights which were designed to result in certification of economically viable motor carriers. In contrast, the legislation in 1958 was intended merely to allow carriers the opportunity to continue any existing operations involving eleven specific commodity classes.

Finally, a review of the evidence shows that the Commission's award by separate commodities afforded appellant substantial parity with operations actually conducted prior to May 1, 1958.

C. In making its award, the Commission was clearly justified in excluding from consideration shipments transported before January 1, 1957. The January 1, 1957, cutoff date resulted in 16 months of operations being considered as representative of appellant's "bona fide operation on May 1, 1958." This includes, of course, at least one growing season's transportation for every commodity. Adoption of a cutoff date is a reasonable administrative device for keeping the scope of an inquiry into grandfather operations within manageable limits. See *Barrett Line* v. *United States*, 326 U.S. 179. Appellant presented no extenuating circumstances to justify a waiver of the cutoff date in this case. Furthermore, consideration of the pre-1957 shipments does not result in any broader grant of grandfather authority. Appellant's operations before 1957 either fell within the pattern of operations conducted after that date or were so isolated as to be insufficient to justify an award of grandfather rights.

D. The Commission's award of authority to transport frozen fish in mixed shipments with frozen fruits, frozen vegetables, and frozen berries conformed to the evidence submitted by appellant and was also in substantial parity with its prior operations.

ARGUMENT

THE COMMISSION PROPERLY DETERMINED THE SCOPE OF APPELLANT'S PRIOR OPERATIONS "ON MAY 1, 1958 * * * [AND] SINCE THAT TIME" AND MADE A PROPER GRANT OF OPERATING AUTHORITY

A. SECTION 7(c) OF THE TRANSPORTATION ACT OF 1958 IS SATISFIED BY THE GRANT OF AUTHORITY IN SUBSTANTIAL PARITY WITH AN APPLICANT'S PRE-REGULATION OPERATIONS

In the Motor Carrier Act of 1935 (Part II of the Interstate Commerce Act), transportation of "agricultural (including horticultural) commodities (not including manufactured products thereof)" was exempted from economic regulation by the Interstate Commerce Commission (Section 203(b)(6), 49 Stat. 544, 49 U.S.C. 303(b)(6)). The scope of the agricultural exemption became the subject of considerable litigation before the Commission and the courts (see S. Rep. 1647, 85th Cong., 2d Sess., pp. 22–23). Accordingly, in the Transportation Act of 1958, Congress fixed its scope by incorporating (with certain exceptions) into Section 203(b)(6) of the Act an administrative ruling by the Commission's Bureau of Motor Carriers (Ruling 107, March 19, 1958), which had made a determination of the exempt or non-exempt status of an exhaustive list of agricultural and horticultural commodities. Eleven commodities, classified as exempt by Ruling 107, were specifically made non-exempt by Section 7(a) of the Act (App., *infra*, pp. 37–38), subjecting carriage of those commodities to Commission regulation. Those commodi-

ties are: "frozen fruits, frozen berries, frozen vegetables, cocoa beans, coffee beans, tea, bananas, or hemp, and wool imported from any foreign country, wool tops and noils, or wool waste (corded, spun, woven, or knitted)."

In the same Act, Congress provided "grandfather" rights for motor carriers which were engaged in transporting the eleven commodities subjected to regulation for the first time. *Midwest Emery Freight System, Inc.* v. *United States*, 202 F. Supp. 229, 234–235 (N.D. Ill.); *Milk Transport, Inc.* v. *Interstate Commerce Commission*, 190 F. Supp. 350, 352–353 (D. Minn.), affirmed *per curiam*, 368 U.S. 5. Section 7(c) declared that such "grandfather" rights should be conferred by the Commission, without the usual proof of a need for the proposed service, to the extent that:

> * * * any person (or its predecessor in interest) was in bona fide operation on May 1, 1958, over any route or routes or within any territory, in the transportation of property for compensation by motor vehicle made subject to the provisions of part II of that [Interstate Commerce] Act by paragraph (a) of this section, in interstate or foreign commerce, and has so operated since that time (or if engaged in furnishing seasonal service only, was in bona fide operation, on May 1, 1958, during the season ordinarily covered by its operations and has so operated since that time) * * *.

According to this provision, the basis for the award of grandfather rights is an analysis of the operations of the applicant. This analysis has two aspects.

First, the statute requires ascertainment of the applicant's operations on the grandfather date, May 1, 1958, and since that time. With respect to the grandfather date, one day's shipments would give too narrow a view of the applicant's over-all service. Accordingly, the Commission must consider an applicant's operations over a sufficient period of time prior to the statutory date so that the pattern of operations entitled to recognition as grandfather operations may be discerned. (The carrier must also show, of course, that it has continued those operations after May 1, 1958.) Second, the various commodities transported by the applicant during that period and the territories served by him must be classified so that the terms of the "grandfather" certificate will not unduly expand or contract the carriage which the applicant previously provided.

The problem is not new, either to the Commission or to this Court. Almost thirty years ago, when the motor carrier industry was first subjected to federal economic regulation by the Interstate Commerce Commission pursuant to the Motor Carrier Act of 1935, Congress conferred similar prescriptive rights on existing carriers. Certificates were to be issued to any firm which was "in bona fide operation as a common carrier by motor vehicle on June 1, 1935 * * * and has so operated since that time" (Section 206, 49 U.C.C. 306). In so doing, "Congress responded to the felt need for regulating interstate motor transportation through familiar administrative devices, while at the same time it satisfied the dictates of fairness by

affording sanction for enterprises theretofore established." *United States* v. *Maher*, 307 U.S. 148, 153.

The key words of the 1935 grandfather clause, as in the grandfather clause of 1958, are that the carrier subjected to economic regulations must have been "in bona fide operation" at certain critical periods. As this Court said in *United States* v. *Carolina Carriers Corp.*, 315 U.S. 475, 480:

> The Act provides the test of "bona fide operation." That standard carries the connotation of substantiality. It also makes clear that a holding out to serve a specified area is not alone sufficient. It is 'actual rather than potential or simulated service" which is required. *McDonald* v. *Thompson*, 305 U.S. 263, 266. Substantial, as distinguished from incidental, sporadic, or infrequent, service is required. * * *

Thus, the scope of grandfather rights in this case is determined neither by the precise operations formerly conducted by the applicant (for the statute excludes those which were "incidental, sporadic, or infrequent" (315 U.S. at 480)) nor by the applicant's holding out to serve a larger area or to transport a wider range of commodities than those of which its past operations were representative ("a holding out * * * is not alone sufficient" (*ibid.*)). In short, "the purpose of the 'grandfather clause' was to assure those to whom Congress had extended its benefits a 'substantial parity between future operations and prior *bona fide* operations'." *United States* v. *Carolina Carriers Corp.*, 315 U.S. at 481. See, also, *Alton*

R. Co. v. *United States*, 315 U.S. 15, 23. All of appellant's arguments basically seek to avoid the limitation inherent in the "substantial parity" standard. It would require the Commission to award grandfather rights solely on the basis of its holding out to the public, rather than on the basis of proof of *bona fide* substantial operations.

We recognize that the test of substantial parity does not mean that the Commission can impose commodity limitations which in effect "restrict the scope of [the carrier's] operations" by ignoring the broad range of the prior service held out to the public and actually rendered. *United States* v. *Carolina Carriers Corp.*, 315 U.S. at 483–484. However, the Court carefully qualified this approach by pointing out that "the service actually rendered may have been confined to such a few commodities that his holding out or willingness to carry a much larger class may be disregarded" (*id.* at 483) and that "Substantial service actually rendered may have been confined to narrow limits" (*id.* at 481).[10] Since "the grandfather clause confers a special privilege, the proviso defining exemptions is to be held to extend only to carriers plainly within its terms." *Gregg Cartage Co.* v. *United States*, 316 U.S. 74, 83; see, also, *Crescent Express Lines* v. *United States*, 320 U.S. 401, 409.

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[10] See *Watson Bros. Transp. Co.* v. *United States*, 59 F. Supp. 762, 771–774 (D. Nebr.); *Bush Transfer* v. *United States*, 53 F. Supp. 640, 643–644 (W.D.N.C.); *Wright* v. *United States*, 50 F. Supp. 758 (W.D.N.C.); *Bondurant* v. *United States*, 50 F. Supp. 704, 705–706 (M.D.N.C.); and *National Moving & Warehouse Corp.* v. *Interstate Commerce Commission*, 48 F. Supp. 284, 285–286 (S.D.N.Y.).

In the last analysis, the demarcation of territories which an applicant has served, the number of the commodities to be carried and their classification, and the number of shipments to be considered as establishing a pattern of operations for an award of grandfather rights are matters for the Commission's discretion. As this Court noted in *United States* v. *Carolina Carriers Corp.*, 315 U.S. at 480, "The precise delineation of the area or the specification of localities which may be serviced has been entrusted by the Congress to the Commission." See also *Alton R. Co.* v. *United States*, 315 U.S. 15, 22. That discretion was properly exercised here.

B. UNDER THE LANGUAGE OF THE 1958 ACT, THE COMMISSION PROPERLY CONSIDERED EACH OF THE THREE COMMODITIES, FROZEN FRUITS, FROZEN VEGETABLES AND FROZEN BERRIES, AS A SEPARATE CLASSIFICATION AND AWARDED GRANDFATHER RIGHTS CORRESPONDING TO APPELLANT'S PRIOR OPERATIONS INVOLVING THE PARTICULAR COMMODITY.

The identification of the commodities whose continued truck transportation is protected by grandfather rights in the Transportation Act of 1958 is found in Section 7(a) (App., *infra*, pp. 37–38), which amended the scope of the regulatory exemption. The commodities are listed as follows: "frozen fruits, frozen berries, frozen vegetables, cocoa beans, coffee beans, tea, bananas, or hemp, and wool imported from any foreign country, wool tops and noils, or wool waste (carded, spun, woven, or knitted)." The appellant in effect contends that the legislation established only nine categories of commodities for which "grand-

father" rights were provided and that "frozen fruits, frozen berries, frozen vegetables" comprise a single "class of frozen food items which were deemed to be exempt" (R. 353; see Br. 13–14), so that the past truck transportation of one of them entitles an applicant to "grandfather" rights to transport all three.

The short answer is that this construction is inconsistent with the statutory listing of separate commodities. Congress did not intend frozen fruits, frozen berries and frozen vegetables to be considered together any more that it intended bananas, hemp and wool to constitute a single class. Substantial parity of "bona fide operation," in the context of Section 7(c), refers to transportation services for each of the eleven commodities to which the grandfather provision referred. There is no reasonable basis for any reading of the Act other than that a prescriptive right to transport each of the listed items must be supported by a separate showing of prior operations. This interpretation has been uniformly sustained by three reviewing courts in addition to the court below.[11]

Congress might have chosen a phrasing which created a single commodity class, as urged by the appel-

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[11] *Northwest Fisheries Transp., Inc.* v. *United States*, C.A. No. 5481, W.D. Wash., May 17, 1962, sustaining *Northwest Fisheries Transp., Inc., Common Carrier Application*, 89 M.C.C. 324 (1961); *Consolidated Freightways Corp.* v. *United States*, C.A. No. 40438, N.D. Cal., May 3, 1962, sustaining *Consolidated Freightways, Inc.—Common Carrier Application*, 84 M.C.C. 637 (1961); *Battaglia* v. *United States*, C.A. No. 61-321, D. Ore., March 29, 1962, sustaining *Produce Transport Dispatch, Common Carrier "Grandfather" Application*, 84 M.C.C. 451 (1961). *Winter Garden Co.* v. *United States*, 211 F. Supp. 280 (E.D. Tenn.), in which the district court stated a contrary proposition in *dicta*, is discussed *infra*, pp. 18–19.

lant, but it did not. Thus, it could easily have expressed this intent by using the term "frozen fruits and vegetables" as it did with "wool tops and noils." Further, it is significant that Congress listed "frozen fruits, frozen berries, frozen vegetables" separately for the term "frozen fruits" previously had been held, in the context of the original agricultural commodities exemption, to embrace frozen berries as well. *Home Transfer & Storage Co.* v. *United States*, 141 F. Supp. 599, 600 (W.D. Wash.), affirmed *per curiam*, 352 U.S. 884. See, also, Ruling 107 of the Bureau of Motor Carriers, relied upon by Congress in amending the exemption in 1958 in which frozen berries are considered in the same category as frozen fruits. CCH Federal Carriers Reports ¶25,107. That the transportation characteristics of these frozen foods are comparable, as the appellant contends (R. 354), is of no moment; the same might be said of coffee, cocoa and tea, but surely the appellant would not argue that the past movement of one of the latter confers prescriptive rights for all three. Cf., *Coffee Beans Other Than Green—Poole's Drayage Co.*, 308 I.C.C. 495.

Appellees rely upon *Winter Garden Co.* v. *United States*, 211 F. Supp. 280 (E.D. Tenn.), for the proposition that frozen fruits, frozen vegetables and frozen berries are a single commodity classification. There, the district court found on the facts that representative shipments of all three commodities had been hauled from the same plants and warehouse facilities in mixed truckloads (211 F. Supp. at 288–289). Of course, such facts, if correctly found, justi-

fied the grant of authority covering all three commodities. The *Winter Garden* opinion (p. 289) also stated that frozen fruits, berries and vegetables appeared to constitute a single "class" because of similarities in inherent transportation and marketing characteristics. If by this statement the court meant to say that had the evidence shown only shipments of one of these frozen foods, the statute would still have required the grant of grandfather authority covering the others, it was, we submit, in error.[12]

Appellant argues that the consideration of prior operations on a commodity-by-commodity basis is a "pulverization" or "atomization" of its operations which is precluded by the principles of commodity classification set forth in *United States* v. *Carolina Carriers Corp.*, 315 U.S. 475. In *Carolina Carriers*, the applicant had sought grandfather rights under the 1935 legislation as a carrier of general commodities. The Commission, however, "authorized the carriage of about a dozen kinds of commodities, though

[12] A subsequent district court decision narrowly construed *Winter Garden* to avoid the erroneous *dicta* cited above. In *Frozen Food Express* v. *United States*, 219 F. Supp. 131, 140 (N.D. Tex.), the court stated (emphasis in original): "As we construe that [Winter Garden] decision, it holds that under the *proof* in that record, the three commodities in question were one class. The result was reached as a finding on a fact issue, rather than as a matter of law. While the language of the Act may not foreclose a fact issue on this matter, there is nothing in such language indicating that these commodities *must* be treated as one class."

We believe the fact issue in each application for grandfather rights under 7(c) is the extent of applicant's prior operations in each of the commodities specified in the statute, separately viewed.

in prior operations about three times that number had been carried." 315 U.S. at 484. In affirming a district court order setting aside the Commission's action as improper, this Court stated that the Commission "may not atomize [the applicant's] prior service, product by product, so as to restrict the scope of his operations, where there is substantial evidence in addition to his holding out that he was in '*bona fide* operation' as a 'common carrier' of a large group of commodities or of a whole class or classes of property" (315 U.S. at 483–484).

It is clear, however, that the Commission's consideration of frozen fruits, frozen vegetables and frozen berries as separate commodities under the 1958 Act does not amount to "atomization" of appellant's preregulation carriage, as that term is used in the *Carolina Carriers* case. The 1935 legislation initiated Commission regulation of the entire motor carrier industry. The grandfather clause required bona fide operation as a "common carrier" on the statutory date.[13]

[13] The "grandfather" clause (Section 206(a)) of the Motor Carrier Act of 1935 (49 Stat. 543, 551, 49 U.S.C. 306) provided:

"No common carrier by motor vehicle subject to the provisions of this part shall engage in any interstate or foreign operation on any public highway, or within any reservation under the exclusive jurisdiction of the United States, unless there is in force with respect to such carrier a certificate of public convenience and necessity issued by the Commission authorizing such operations: *Provided, however*, That, subject to section 210, if any such carrier or predecessor in interest was in bona fide operation as a common carrier by motor vehicle on June 1, 1935, over the route or routes or within the territory for which application is made and has so operated since that time, * * * except * * * as to interruptions of service over which the applicant or its predecessor in interest had no control, the Commission shall issue such certificate without requiring further proof

Congress did not particularize the commodities for which grandfather rights might be awarded under the 1935 legislation, except to define the term "common carrier" as one who "undertakes * * * to transport passengers or property, or any class or classes of property * * *." Section 203(a)(14), Interstate Commerce Act, 49 Stat. 544.[14] The applicant in the *Carolina Carriers* case had transported many different classes of commodities, but the certificate awarded by the Commission delineated the commodities the applicant could transport within each class and "eliminate[d] commodities which, though of the same general class as the others, had been carried before but not after June 1, 1935." 315 U.S. 475, 482. Thus, this Court's admonition against atomization of the commodity classes previously transported by an applicant must be read in the context of the general language adopted by Congress in authorizing the award of grandfather rights and the Commission's lack of authority to certificate less than an entire class of commodities.

Under the 1958 legislation, Congress spelled out, with precision, the eleven commodities which had formerly been exempt and were now being put under Commission regulation for the first time. By considering frozen fruits, frozen vegetables and frozen berries as separate commodity classes, the Commission was doing no more than observing the classification set up

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that public convenience and necessity will be served by such operation * * *."

[14] Amendments to this section enacted in 1940 are not pertinent to the point at issue here. See Act of September 18, 1940, Sec. 18(a), 54 Stat. 920, discussed at 315 U.S. at 482, n. 2.

by Congress when it adopted the statute. We would have a problem similar to that presented in *Carolina Carriers* if, under the classification "frozen vegetables", for example, the Commission had granted authority limited to frozen beans (the product actually transported) and denied authority for the shipment of other frozen vegetables. This example points up the fact that "frozen vegetables" is in fact a general commodity classification. Prior shipment of one kind of vegetable is sufficient ground for grandfather authority to transport all kinds. It is not, however, authority to ship commodities outside the class, such as frozen fruits or berries.

The 1935 legislation at issue in *Carolina Carriers* subjected all motor carriers to federal economic regulation for the first time. The grandfather clause was correspondingly broad and its purpose was to establish a viable pattern of operation for all existing motor carriers. This far-ranging regulation of motor carriage is in marked contrast to the limited extension of regulation effected by the 1958 legislation. The purpose of the 1958 grandfather provision has undergone a similar change. It reflects a congressional desire, out of fairness, to preserve for carriers of any of these eleven commodities a right to continue such prior operations. The limited scope of the provision and its purpose suggest that the Commission was correct in considering each category separately. Any other construction would extend rather than preserve existing operations.

Appellant also appears to suggest that, even accepting the Commission's premise that frozen fruits, fro-

zen vegetables and frozen berries are separate commodity categories, it is entitled on the facts to broader authority to transport mixed shipments than that granted. Thus, it states (Br. 16), "The three commodities may be and frequently were transported by Shaw in the same vehicle at the same time (R. 292, 297, 298, 302). Shaw transported all of these subcategories over broad areas prior to the 'grandfather' date." A review of the record pages cited demonstrates, however, that wherever the evidence showed that appellant had transported mixed shipments before May 1, 1958, and thereafter, appellant was granted authority to continue such operations. Indeed, a review of all the evidence of record as compared to the authority awarded by the Commission demonstrates that the award conformed to the appellant's pattern of actual operations in transporting representative shipments of all three commodities.[15] See Appendix B, *infra,* pp. 41–42 for a summary, as to each of the nine States for which grandfather author-

[15] The Commission was satisfied with a showing of representative shipments from one area to another, and, where such a pattern was shown, it did not limit the grant to specific origin and destination points. Thus, in the instant case, the evidence was of a general pattern of the transportation of frozen fruits, frozen berries and frozen vegetables from points in California, Oregon and Washington, an area that produced all three, to Arkansas, Kansas, Missouri, and Oklahoma, an area that consumed all three. The Commission awarded "grandfather" rights covering all three commodities between those areas, even though the appellant had not actually handled all three from all specific origin points to all destination points within the certificated areas.

ity was granted, of the record evidence as to appellant's shipments of the commodities for which authority was denied.

C. THE COMMISSION ACTED WITHIN ITS ADMINISTRATIVE DISCRETION IN REFUSING TO CONSIDER SHIPMENTS HANDLED BEFORE JANUARY 1, 1957, IN DETERMINING THE EXTENT OF APPELLANT'S BONA FIDE OPERATION ON MAY 1, 1958

1. Sixteen months of shipments (January 1, 1957, to May 1, 1958) affords the Commission a representative sample of an applicant's operations

The appellant argues (Br. 17–24) that the Commission erred in not considering shipments handled by it before January 1, 1957, on the ground that they were too remote from the statutory date (R. 338). The statute fixed May 1, 1958, as the date on and following which the applicant must have operated to be entitled to grandfather rights. In administering this provision, just as in administering the 1935 Act, the Commission has taken into consideration operations conducted within a reasonable period in advance of the grandfather date as establishing the state of applicant's operations on that critical date. *Moore Transp. Co. Common Carrier Application*, 3 M.C.C. 585, 587; *George Cassens & Sons Common Carrier Application*, 1 M.C.C. 771, 774. Following its practice under prior grandfather provisions, the Commission also set a limit to the pre-statutory period which it would ordinarily take into account.

(a) The Commission's action in fixing such a time limit is supported by decisions upholding its similar action under prior grandfather provisions. Under the 1935 Act, in *Fleming Common Carrier Applica-*

tion, 8 M.C.C. 469, 471, sustained, *Alton R. Co.* v. *United States*, 36 F. Supp. 898 (E.D. Mich.), affirmed, 315 U.S. 15, the Commission considered only the shipments handled by the applicant between January 1, 1934, and the grandfather date, June 1, 1935 (17 months), although the carrier had commenced operations early in 1933. In *Moore Transp. Co. Common Carrier Application*, 3 M.C.C. 585, 587, modified, 18 M.C.C. 629, the Commission rested its grant of grandfather rights upon the operations conducted by the applicant between January 1, 1935, and the grandfather date, June 1, 1935 (5 months), although the applicant, through its predecessor, had commenced operations in 1929.

Alton R. Co. v. *United States*, 315 U.S. 15, affords further support for the Commission's action in refusing to consider shipments more than 16 months prior to the grandfather date. The case involved an analogous problem—the continuity of operations since the grandfather date. The Court held that the Commission erred in granting grandfather authority to serve all points in an adjacent State where the applicant had made deliveries of automobiles to only a single point and the last shipment had been handled some 14 months prior to the date of the hearing on the application. The Court stated (315 U.S. at 25):

> No explanation of that long hiatus was proffered. But § 206(a) requires a finding of "bona fide operation * * * within the territory" not only "on June 1, 1935" but also "since that time." We cannot say that an unexplained failure to make any shipments to Arkansas for

> over a year "since that time" satisfies the statutory command, even though the nature of the highly specialized transportation service involved be given the greatest weight. Cf. *United States* v. *Maher, supra.* A mere holding out will not alone suffice to bridge the long gap extending through and beyond one entire automobile production year, since applicant carries the burden of establishing his right to the statutory grant.

If an "unexplained failure to make any shipments" for 14 months was grounds for setting aside the award in *Alton R. Co.,* surely the Commission acted reasonably here in agreeing to consider evidence over a full 16-month period.

In a case arising under the grandfather provision of the Water Carrier Act, the Court similarly upheld the Commission's refusal to go back to a period deemed "too remote" from the statutory date. *Barrett Line* v. *United States,* 326 U S. 179, 186–187.[16] The line drawn by the Commission, it found, was well within its "broadly discretionary" authority (326 U.S. at 199).

(b) The January 1, 1957, cut-off date, applied in this case, was no less a proper exercise of discretion. The 16-month period between January 1, 1957, and May 1, 1958, comprised at least one full growing season and, for some commodities, resulted in Commis-

[16] The period allowed by the Commission was four years prior to the grandfather date of January 1, 1940. The Court recognized that, because of problems peculiar to water carriage, this was much longer than had been utilized under the Motor Carrier Act (326 U.S. at 200).

sion consideration of two full growing seasons (see, *e.g.*, R. 7). Such a period permits a fair appraisal of an applicant's operations "on May 1, 1958." The impact of any cut-off date may result in the fortuity that immediately prior shipments are disregarded, but such application of a cut-off date does not invalidate its use as an administrative tool.

The January 1, 1957, cut-off date has been applied by the Commission in many proceedings under the 1958 Act.[17] It is used, however, as a basic starting point rather than as a rigid exclusionary device. Deviation from this standard is permitted when a carrier has been able to demonstrate that pre-1957 shipments bear substantial relevance to a determination of grandfather rights. Thus, the Commission has included pre-1957 shipments in determining the scope of grandfather rights, when they were shown to have been repeated after May 1, 1958, with a certain degree of regularity,[18] or when the lack of shipments during the

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[17] *Frozen Food Exp. Common Carrier Application*, 89 M.C.C. 555, reversed, *Frozen Food Express* v. *United States*, 219 F. Supp. 131 (N.D. Tex.); *Hale Distributing Co., Inc., Commmon Carrier Application*, 89 M.C.C. 361, reversed, *Hale Distributing Co.* v. *United States*, 221 F. Supp. 266 (S.D. Cal.); *Winter Garden Co., Inc., "Grandfather" Application*, 86 M.C.C. 347, reversed, *Winter Garden Co.* v. *United States*, 211 F. Supp. 280 (E.D. Tenn.); *Lester C. Newton Trucking Co. Common Carrier Application*, 84 M.C.C. 759; *Lipsman-Fulkerson & Co. Common Carrier Application*, 84 M.C.C. 618; *Hollebrand Common Carrier Application—Section 7(c)*, 83 M.C.C. 711; *Coast Refrigerated Transport Co. Contract Carrier Application*, 83 M.C.C. 701.

[18] *Ragsdale Common Carrier Application*, 84 M.C.C. 397; *Jarman Common Carrier Application*, 84 M.C.C. 343, reversed, *J. Edward Jarman* v. *United States*, 219 F. Supp. 108 (D. Md.);

period January 1, 1957-May 1, 1958, was attributable to circumstances beyond the applicant's control, such as the illness of the owner-operator during the January 1, 1957–May 1, 1958 period.[19] The same policy would be applied if a natural catastrophe such as a prolonged drought resulted in no shipments from a certain area during that period. This approach comports with the Court's holding in *Alton R. Co.* v. *United States, supra,* that the burden is on the applicant to present an "explanation of that long hiatus" (315 U.S. at 25). Appellant here made no showing that special circumstances warranted consideration of his pre-1957 shipments.

Appellant relies (Br. 17–18) upon *Winter Garden Co.* v. *United States,* 211 F. Supp. 280 (E.D. Tenn.), and *Frozen Food Express* v. *United States,* 219 F. Supp. 131 (N.D. Tex.), for the proposition that its remote shipments should have been considered by the Commission in determining the extent of its bona fide operations on May 1, 1958. In these cases, the district courts held that the applicant should have been given an opportunity to show that operations which it had performed before January 1, 1957, were again conducted by it, wholly or partially, some time after May 1, 1958, and that the lapse of operations between these dates was explained by the character of the traffic rather than by the scope of the applicant's ac-

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Schultz Transit, Inc., "Grandfather" Application, 83 M.C.C. 602; *Mangum Trucking Co., Inc., Common Carrier Application,* 82 M.C.C. 615.

[19] *Albertelli Common Carrier Application,* 83 M.C.C. 236.

tual operations.[20] If the courts meant that all applicants had to be given that opportunity, we believe that the two decisions are erroneous, since this is in conflict with the basic, indeed necessary, concept of an administrative cut-off date. If, however, the courts were merely stating that upon a tender of proof explaining the necessity for consideration of pre-1957 transportation, the Commission must consider it, we agree, since such a tender would satisfy the Commis-

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[20] In *Winter Garden Co.* v. *United States*, 211 F. Supp. 280, 288, the district court observed:

"The Commission, in ruling out consideration of the 1956 shipments deprived plaintiff in 025 of a basis for consideration, whether service to 34 points throughout the scope of their operation should be continued. Eight of these points were served in 1956 and again in the summer of 1959. In numerous instances, operations were continued to other nearby points in the same States. Albany, Troy, Binghamton, White Plains, Newburgh, Rochester and New York City were served in 1956, but in 1957 and 1958, prior to May 1, plaintiff was requested to serve only the facilities at Rochester and New York City. Subsequent to May 1, 1958, shipments were again delivered to Rochester, New York City and Albany, and in addition thereto Syracuse, Buffalo, Barker and Brockport."

Similarly, that court (at 211 F. Supp. at 290) noted:

"The rejection of the evidence of 1956 operations in MC-118244 deprived plaintiff of continuing to serve St. Paul and Minneapolis, Minnesota. [St. Paul and Minneapolis were served three times in 1956 and St. Paul again on July 26, 1958]. * * * Only Hopkins was served in 1957 and subsequent to May 1, 1958, and only Hopkins was allowed as a destination point. St. Paul and Fairmont as well as Hopkins were served continuously after that date."

In *Frozen Food Express* v. *United States*, *supra*, the court also held that the Commission had erred in not considering the 1956 shipments handled by the applicant, for, as it said, at 219 F. Supp. at 139, such omission resulted in a "distortion of the true pattern of its activities."

sion's own standards for considering pre-1957 movements.[21]

The Commission's consistent approach to the pre-1957 shipments was correctly characterized in *Hale Distributing Co.* v. *United States*, 221 F. Supp. 266, 270 (S.D. Cal.), as follows: "[T]he shipments in years 1955 and 1956 may or may not be too remote, but such a determination is not to be treated as a question of law heretofore decided in prior cases because it is a question of fact which must turn upon the circumstances of the case at bar and not those of an unlike previous case." As noted, appellant never introduced any special facts justifying an exception to the rule; it relied essentially upon the general proposition that a carrier of agricultural commodities is entitled to introduce evidence of shipments during more than one season.

2. A consideration of appellant's pre-1957 shipments would not have resulted in any broader grant of authority

In this proceeding, appellant submitted abstracts of shipments going back to May 1954, some four years before the critical date of May 1, 1958. Presumably, it would have had the Commission consider all of them as representative of operations conducted on the grandfather date; at least, it has not identified the date it would have regarded as an acceptable cut-

[21] We take no position on whether the tender of proof in the *Winter Garden* and *Frozen Food Express* cases was sufficient to justify consideration of pre-1957 transportation and merely note that both cases are currently pending before the Commission on remand.

off point. However, even more importantly, appellant has failed to indicate, either before the Commission or the court below, what additional operations would have been authorized had the Commission taken into account the earlier shipments. We point out that such shipments as appellant handled before January 1, 1957, either fell into the pattern of operations conducted thereafter (and hence were considered) or were no more than isolated, sporadic movements for which no "grandfather" rights are to be awarded (see, *supra*, pp. 14–15).

Appendix C, *infra*, pp. 43–48, contains a narrative summary of all the record evidence of shipments prior to January 1, 1957. The simple fact revealed is that the pre-1957 shipments not covered by the Commission's grant of authority were either isolated movements, or never repeated after May 1, 1958. Thus appellant was awarded all the authority to which it was entitled even if one takes into account the pre-1957 evidence.

In Appendix C we treat separately (1) the 26 States from which the Commission awarded no grandfather rights as origin points; and (2) the nine States as to which some authority was granted. Seventeen of the States in category (1) originated no shipments prior to January 1, 1957, and appellant was therefore unaffected by the lack of consideration of pre-1957 shipments.[22] As to four of the remaining eight States

[22] Alabama, Arizona, Colorado, Florida, Georgia, Indiana, Iowa, Kentucky, Louisiana, Massachusetts, Mississippi, New Jersey, New Mexico, Ohio, Oklahoma, Tennessee, Utah. Idaho and Wisconsin were excluded for the reasons discussed at p. 5, and note 8, p. 5, *supra*.

in that category, appellant is likewise not prejudiced because the pre-1957 shipments were never repeated at any time after the grandfather date.[23] There were pre-1957 shipments from the remaining four States, Kansas, New York, Virginia and Oklahoma, which were repeated after May 1, 1958. However, the pre-1957 movements from all four States totalled less than 15 and there was only one from each State subsequent to May 1, 1958. In the context of appellant's widespread operations—5,000 shipments for the years 1954 to 1960—these isolated shipments were clearly inadequate to establish substantial "bona fide operations" needed to justify the award of grandfather rights.

A similar analysis applies to the operations conducted by the appellant before January 1, 1957, from the nine States from which the Commission awarded it grandfather rights (category (2)) (Appendix C, *infra,* pp. 45–47). With respect to shipments not covered by authority granted in this case, appellant's evidence showed only isolated and widely scattered operations not fairly comprised within its normal operations. Appendix C shows that there were long gaps in service between the sets of origin and destination points for which additional grandfather authority was denied.

Finally, appellant claims that Commission consideration of Shaw's pre-1957 transportation was required by seasonal fluctuations and "climatic and

[23] Maryland, Pennsylvania, Texas and Wisconsin.

crop conditions" (Br. 18).[24] We agree that the Commission must take into account the seasonal nature of agricultural commodities. But appellees' assertions and record references go no further than to say that fruits, berries and vegetables ripen during certain times of the year. The 16-month period which the Commission considered included at least one full growing season for every commodity. Appellant made neither a contention nor an evidentiary showing that any natural disaster in any part of the country occurred so as to render the period January 1, 1957–May 1, 1958, atypical. Moreover, as to the example advanced in appellant's application, cherries from Michigan and strawberries from Oklahoma (R. 7), the record of shipments from those States shows no seasonal pattern (Appendix C, *infra,* pp. 47–48).

In short, the evidence tendered by the appellant supports the scope of authority granted by the Commission and confirms the reasonableness of the time period considered by the Commission. The award of grandfather authority was in substantial parity with appellant's operations "on May 1, 1958 * * * [and] since that time."

D. THE COMMISSION'S GRANT OF AUTHORITY TO TRANSPORT MIXED SHIPMENTS OF FROZEN FISH REFLECTS APPELLANT'S PRIOR OPERATIONS

The motor transportation of frozen fish continues to be, as it always has been, exempt from economic regulation by the Commission. *Interstate Commerce*

[24] It is clear, of course, that Shaw operates all year and is not a seasonal carrier for whom, by the terms of the statute, the Commission must make adjustments in the grandfather date.

Commission v. *Love*, 77 F. Supp. 63 (E.D. La.), affirmed, 172 F. 2d 224 (C.A. 5); *Monark Egg Corp. Contract Carrier Application*, 52 M.C.C. 576. However, the exemption obtains only so long as the vehicle is not used at the same time for the transportation of "non-exempt" commodities. *Interstate Commerce Commission* v. *Service Trucking Co.*, 186 F. 2d 400 (C.A. 3); *Interstate Commerce Commission* v. *Dunn*, 166 F. 2d 116 (C.A. 5). Accordingly, when by the Transportation Act of 1958 the truck transportation of frozen fruits, frozen berries and frozen vegetables became subject to regulation, the Commission awarded "grandfather" rights for the transportation of frozen fish in mixed shipments with these commodities, to the extent that the applicant had been engaged in bona fide operations on the grandfather date in performing such service. *Lewis Common Carrier Application*, 82 M.C.C. 755.[25] Appellant does not dispute the Commission's interpretation of the statute to require specific operating authority for transportation of such mixed loads (Br. 25).

The Commission awarded the appellant "grandfather" rights to handle mixed shipments of frozen

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[25] *Hale Distributing Co., Inc., Common Carrier Application*, *supra*, 89 M.C.C. at 365; *M & H Produce Co., Inc., Common Carrier Application*, 86 M.C.C. 647, 650; *Consolidated Freightways, Inc.—Common Carrier Application*, *supra*, 84 M.C.C. at 641; *Inland Motor Freight "Grandfather" Application*, 83 M.C.C. 543, 544–45; *Lamb Common Carrier Application*, 83 M.C.C. 91, 94–95.

fish from several West Coast port cities. The appellant contends that the requirement that the mixed shipment originate at one of these port cities prevents it from initiating "mixed shipments from inland points where the 'mixing' would normally occur" (*i.e.*, loading the fish at the port and adding the frozen fruits or vegetables at an inland point) and that the Commission had effectively destroyed its pre-existing ability to handle mixed shipments (Br. 25–27).

The Commission's grant of authority, however, was in substantial conformity with the showing made of actual prior operations by the appellant. Appellant's evidence establishes that in most instances the frozen fruits, frozen berries or frozen vegetables were loaded at or near the coastal point of loading of the fish, their order of being loaded not being shown of record. Thus, as discussed by witness Shaw (R. 91), a typical shipment of frozen fish from Seattle was transported together with frozen berries from Puyallup and Everett, Washington, less than 30 miles away, an insignificant distance considering that the shipment of frozen fish was destined for Kansas City, Missouri, nearly 2,000 miles away.[26] In these circumstances, the Commission's judgment should be upheld.

[26] The very example cited by the appellant (Br. 26–27) reveals the unsoundness of appellant's position, for the evidence establishes that in the six and a half years covered by the appellant's exhibits it handled only a single mixed shipment of frozen fish from Monterey (R. 198), and it was loaded with other freight from Watsonville (R. 249), only about 20 miles distant.

CONCLUSION

The order of the district court should be affirmed.
Respectfully submitted.

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APPENDIX A

STATUTES INVOLVED

Part II. Interstate Commerce Act (Motor Carrier Act, 1935) 49 Stat. 543, *et seq.*

Section 203(b)(6), 49 U.S.C. 303(b)(6):[1]

(b) Nothing in this chapter, except the provisions of section 304 of this title relative to qualifications and maximum hours of service of employees and safety of operation or standards of equipment shall be construed to include * * * (6) motor vehicles used in carrying property consisting of ordinary livestock, fish (including shell fish), or agricultural (including horticultural) commodities (not including manufactured products thereof), if such motor vehicles are not used in carrying any other property, or passengers, for compensation: *Provided, That the words "property consisting of ordinary livestock, fish (including shell fish), or agricultural (including horticultural) commodities (not including manufactured products thereof)" as used herein shall include property shown as "Exempt" in the "Commodity List" incorporated in ruling numbered 107, March 19, 1958, Bureau of Motor Carriers, Interstate Commerce Commission, but shall not include property shown therein as "Not exempt": Provided further, however, That notwithstanding the preceding proviso the words "property consisting of ordinary livestock, fish (including shell fish), or agricultural (including horticultural) commodities (not including manufactured products thereof)"shall not be deemed to include frozen*

[1] The italicized portion of this section was added by Section 7(a) of the Transportation Act of 1958, 72 Stat. 573.

fruits, frozen berries, frozen vegetables, cocoa beans, coffee beans, tea, bananas, or hemp, and wool imported from any foreign country, wool tops and noils, or wool waste (carded, spun, woven, or knitted), and shall be deemed to include cooked or uncooked (including breaded) fish or shell fish when frozen or fresh (but not including fish and shell fish which have been treated for preserving, such as canned, smoked, pickled, spiced, corned or kippered products) * * *.

Transportation Act of 1958

Section 7(a), 72 Stat. 573 (see italicized portion of Section 203(b)(6) of the Interstate Commerce Act, Part II, *supra*).

Section 7(c), 72 Stat. 573:

> Subject to the provisions of section 210 of the Interstate Commerce Act [49 U.S.C. 310], if any person (or its predecessor in interest) was in bona fide operation on May 1, 1958, over any route or routes or within any territory, in the transportation of property for compensation by motor vehicle made subject to the provisions of part II of that Act by paragraph (a) [Section 203(b)(6) amendment] of this section, in interstate or foreign commerce, and has so operated since that time (or if engaged in furnishing seasonal service only, was in bona fide operation on May 1, 1958, during the season ordinarily covered by its operations and has so operated since that time), except in either instance as to interruptions of service over which such applicant or its predecessor in interest had no control, the Interstate Commerce Commission shall without further proceedings issue a certificate or permit, as the type of operation may warrant, authorizing such operations as a common or contract carrier by motor vehicle if application is made

to the said Commission as provided in part II of the Interstate Commerce Act and within one hundred and twenty days after the date on which this section takes effect [August 12, 1958]. Pending the determination of any such application, the continuance of such operation without a certificate or permit shall be lawful. Any carrier which on the date this section takes effect is engaged in an operation of the character specified in the foregoing provisions of this paragraph, but was not engaged in such operation on May 1, 1958, may under such regulations as the Interstate Commerce Commission shall prescribe, if application for a certificate or permit is made to the said Commission within one hundred and twenty days after the date on which this section takes effect, continue such operation without a certificate or permit pending the determination of such application in accordance with the provisions of part II of the Interstate Commerce Act.

APPENDIX B

ANALYSIS OF APPELLANT'S MOVEMENTS IN EXHIBIT 22 AS COMPARED TO THE COMMODITY LIMITATIONS IN THE GRANT OF GRANDFATHER AUTHORITY

The Commission authorized service from points in nine States—Arkansas, California, Delaware, Illinois, Michigan, Minnesota, Nebraska, Oregon and Washington. Appellant's evidence of shipments from May 1954 through 1960 shows that wherever the Commission granted authority for less than all three commodities, its action reflects the absence of substantial bona fide operations with respect to the others.

1. *Arkansas*—The Commission awarded the appellant no authority to transport frozen fruits. However, with the single exception of a truckload to Texas in April 1957 (R. 231), the appellant handled no shipments of frozen fruits from Arkansas during the six and a half years covered by its Exhibit 22. The appellant at no time transported frozen berries from Arkansas to California, Florida or Michigan, to which the Commission awarded it grandfather rights to transport frozen vegetables.[2]

2. *Delaware and Minnesota*—The Commission conferred no rights to handle frozen fruits or frozen berries, for the appellant at no time on or before the grandfather date transported frozen fruits or frozen berries from these two states.

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[2] Under authority acquired since the Commission's decision below, the appellant can transport frozen fruits, berries and vegetables from Arkansas to California and Florida. See MC-117119 and Sub-No. 10. See, *supra*, n. 9, p. 8.

3. *Nebraska*—No authority to transport frozen berries from Nebraska was conferred by the Commission, but the appellant at no time transported frozen berries from this State. Appellant at no time transported frozen fruits from Nebraska to Arkansas, to which it was authorized to transport frozen vegetables, or frozen vegetables to California, to which it was authorized to transport frozen fruits.

4. *California, Illinois, Michigan, Oregon and Washington*—From these remaining states, appellant was authorized to handle all three of the commodities in question—frozen fruits, frozen berries *and* frozen vegetables. Only from Michigan did the Commission not authorize transportation of all three commodities to all of the points to which the appellant was certificated to handle shipments. Appellant's evidence showed that from Michigan it transported all three commodities to only one state, Missouri, for which it was awarded grandfather rights.

APPENDIX C

Appellant argues (Br. 17–24) that the Commission should have considered evidence of shipments prior to 1957, set forth in Exhibit 22, as showing the extent of its bona fide operation on May 1, 1958. Such consideration is necessary, it contends, in order to show: (1) a more complete picture of appellant's operations; and (2) a seasonal pattern in appellant's operations which was undisclosed because of the January 1, 1957, cut-off date. An analysis of appellant's shipments listed in Exhibit 22 (starting on May 3, 1954) (R. 205–323) refutes both contentions. We set forth below the facts as to pre-1957 shipments from all the States for which appellant sought grandfather rights and show further, as to two representative States, that appellant's operations are not, in fact, seasonal, but year-round.

1. ANALYSIS OF APPELLANT'S PRE-1957 MOVEMENTS IN EXHIBIT 22 AS COMPARED TO LIMITED GRANTS OF GRANDFATHER AUTHORITY

a. Pre-1957 movements originating in States from which no authority was granted

There were 26 states [3] from which the Commission awarded no "grandfather" rights to originate shipment.[4] From 17 of these states [4] appellant handled

[3] Alabama, Arizona, Colorado, Florida, Georgia, Idaho, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, Massachusetts, Missouri, Mississippi, New Jersey, New Mexico, New York, Ohio, Oklahoma, Pennsylvania, Tennessee, Texas, Utah, Virginia, Wisconsin.

[4] Alabama, Arizona, Colorado, Florida, Georgia, Indiana, Iowa, Kentucky, Louisiana, Massachusetts, Mississippi, New Jersey, New Mexico, Ohio, Oklahoma, Tennessee, Utah.

no shipments of frozen fruits, berries or vegetables before January 1, 1957. Appellant's grandfather rights were therefore completely unaffected by the Commission's declining to consider earlier shipments. From an additional state, Idaho, any pre-1957 shipments of frozen fruits, berries or vegetables also contained non-exempt commodities, and hence provided no basis for grandfather authority (see, *supra*, p. 5, n. 8).

From four of the remaining eight States,[5] whatever shipments were handled by the appellant before January 1, 1957, were not repeated at any time following the grandfather date. Thus, the shipments afforded no basis for a claim to certification.

As for the other four States, Kansas, New York, Missouri and Virginia, Exhibit 22 showed the following sporadic shipments. From Kansas there was only one State which the appellant served both before January 1, 1957, and again some time after the grandfather date, Missouri. Appellant delivered to it a total of seven shipments before and one after May 1, 1958 (R. 214, 215, 216, 244, 294). Missouri was also the only state which the appellant served from New York both before January 1, 1957, and again after the grandfather date, and it delivered exactly one shipment before and one after (R. 217, 265). From Missouri, the only state which the appellant served both before January 1, 1957, and after the grandfather date, was Illinois, and it handled two such shipments before and one after (R. 223, 260). Finally, Oklahoma was the only state to which the appellant delivered shipments from Virginia before January 1, 1957, and again some time after grandfather date, and, while there were several loads before, there was but one after (R. 310).

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[5] Maryland, Pennsylvania, Texas and Wisconsin.

b. Pre-1957 movements originating in the States from which grandfather authority was granted

The operations conducted by the appellant before January 1, 1957, from the nine states from which the Commission awarded it grandfather rights fall into one of two categories: They were part of a pattern of service continued with a measure of frequency or regularity throughout the period covered by Exhibit 22, and, hence, embraced within the authority conferred by the Commission, or they were so outside this pattern that their elimination in no way distorted the Commission's view of the scope of appellant's operations.

Arkansas—As to the remaining destinations for which grandfather authority was not granted, the record shows only the most limited number of pre-1957 shipments. From the appellant's home state of Arkansas, the only operation which it conducted to Alabama (for which no authority was granted) at any time on or before the grandfather date was the transportation of a single shipment in September 1956 (R. 226). To Florida, it handled three shipments, one in September 1956 and the others in April and July 1957 (R. 226, 231, 235). To Illinois, there were two shipments which it handled before May 1, 1958, and these were in May and October 1956 (R. 222, 227). To Indiana, there were two, in January 1955 and May 1956 (R. 209, 222). To Kansas, there were three, one in November 1955 and two in May 1956 (R. 217, 222, 223). To Minnesota, there were two, in May 1956 (R. 222, 223). To Missouri, there were 10, all before mid-July 1956 (R. 210, 211, 217, 218, 219, 220, 221, 222, 223, 224). To New York, there were two, one in March 1956 and the other in September 1957 (R. 221, 238). To Texas, there were

two, one in July 1956 and the other in April 1957 (R. 223, 231).

California—The appellant handled only four shipments to Illinois before the "grandfather" date, one in November 1955, one in May 1957 and two in April 1958 (R. 216, 233, 249). To Minnesota, the appellant handled eight shipments, all before March 1956 (R. 212, 213, 214, 216, 220).

Delaware—The appellant handled no shipments before January 1, 1957.

Illinois—The appellant handled three shipments to Kansas on or before May 1, 1958, one in May 1954 and two in October 1954 (R. 206, 207).

Michigan—The appellant served no states before January 1, 1957, and again following the grandfather date that it did not serve as well in the interim period. Accordingly, the scope of operations from Michigan was duly considered by the Commission.

Minnesota—The appellant handled 13 loads to Texas before January 1, 1957, but only five thereafter, in March 1957, and March, April and September 1960 (R. 230, 294, 299, 317, 320).

Nebraska—The appellant handled two shipments to Kansas on or before May 1, 1958, in April 1955 and February 1956 (R. 211, 219). To Missouri, it handled two, in April 1955 and February 1956 (R. 211, 219).

Oregon—There were two movements to Colorado before the grandfather date, in August 1955 and January 1958 (R. 214, 245). To Iowa, there was one, in July 1956 (R. 224) and to Texas, there was one, in December 1955 (R. 218).

Washington—The appellant handled two shipments to Nebraska on or before May 1, 1958, one in November and the other in December 1954 (R. 208, 209).

The appellant handled other shipments from these nine States during the period between May 1954 and January 1, 1957, but other than the foregoing or those to States to which the Commission awarded it grandfather rights, the movements were not repeated again any time after the grandfather date of May 1, 1958.

2. APPELLANT'S MOVEMENTS OF FROZEN BERRIES FROM OKLAHOMA AND FROZEN FRUITS FROM MICHIGAN

Appellant's application cited (R. 7), as illustrative of the seasonal nature of its business, the transportation from Oklahoma of strawberries which ripen in April, May and June, and the transportation from Michigan of cherries which ripen in June and July. However, appellant's Exhibit 22 shows no continuing seasonal pattern in such movements from Oklahoma or Michigan.

Appellant's exhibit establishes that it handled no shipments of frozen berries from Oklahoma at any time on or before the grandfather date of May 1, 1958, and that it transported only three shipments of other of the considered commodities from the State, one in June and two in July 1957 (R. 234, 235, 236).

From Michigan the appellant handled the following shipments of frozen fruits on or before May 1, 1958:

1954	*Date*	*Record*	1955	*Date*	*Record*
	6/23	206		1/6	209
	7/12	207		2/8	209
	8/7	207		3/1	210
	8/10	207		3/3	210
	10/13	207		3/24	210
	10/28	208		4/5	211
	11/1	208		4/15	211
	11/3	208		4/28	211
	12/17	209		6/3	212

1955	*Date*	*Record*	1957	*Date*	*Record*
	6/21	212		7/17	236
	7/5	213		7/18	235
	7/6	213		7/23	236
	7/20	213		7/24	236
	7/21	213		7/31	236
	8/16	214		8/2	237
	10/4	215		8/2	237
	11/1	216		8/5	237
	12/7	218		8/17	237
	12/9	218		8/28	237
1956	1/26	219		9/10	239
	2/27	220		9/10	239
	3/3	221		9/16	239
	3/10	220		10/15	241
	4/12	221		10/26	241
	5/18	222		10/26	241
	5/19	222		11/12	242
	5/21	222		11/29	242
	6/1	223		12/9	243
	6/28	224	1958	1/4	244
	6/29	224		1/29	245
	7/7	223		2/10	245
	7/14	224		3/5	247
	7/18	225		3/7	247
	8/8	225		3/11	247
	8/15	225		3/15	247
	8/29	226		3/19	247
	12/10	228		3/20	248
1957	5/15	233		3/21	248
	5/18	234		3/28	248
	7/15	236		4/7	248

The dates of these shipments refute appellant's contention that its shipments from Michigan were seasonal and that accordingly, it was adversely affected by the May 1, 1958, grandfather date.

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